

GLOUCESTER CITY COUNCIL MEETING

TUESDAY, November 17, 2009

7:00 P.M.

Kyrouz Auditorium – City Hall

Council Meeting 2009-028

Present: Council President Bruce Tobey, Council Vice President Sefatia Romeo-Theken, Councilor Joe Ciolino, Councilor Jackie Hardy, Councilor Jason Grow, Councilor Phil Devlin, Councilor Steven Curcuru

Absent: Sharon George, John “Gus” Foote

Also Present: Nancy Papows, Jeff Towne, Councilor Elect Greg Verga, Councilor Elect Anne Mulcahey, Councilor Elect Paul McGeary, Councilor Elect Robert Whynott, Amy Beth Healey, Melissa Teixeira, Christopher Farmer, Bob Ryan, Jonathan Pope, Attorney Henry, Attorney Faherty, Bob Hastings

Flag Salute and Moment of Silence

City Council Meeting 2009-028 was called to order at 7:00 p.m.

Council President Tobey advised the community that the City Council meeting is being taped and not broadcast live. **Councilor Devlin** is delayed due to professional obligations, and **Councilor Curcuru** will be delayed by a family event.

Oral Communications: No one spoke.

Portions of the Agenda of the City Council Meeting may be taken out of order.

Confirmation of Appointments:

1. Robert Harris, Board of Health

MOTION: On motion of Councilor Tobey, seconded by Councilor Curcuru, the Ordinances and Administration Committee voted unanimously 3 in favor, 0 opposed to recommend to the City Council the appointment of Robert Harris to the Board of Health for a term to expire 2/14/12.

MOTION: On motion of Councilor Tobey, seconded by Councilor Curcuru the City Council voted 5 in favor, 0 opposed to approve the appointment of Robert Harris to the Board of Health for a term to expire 2/14/12.

Councilor Romeo-Theken asked the minutes be corrected with the correct vote of 3 in favor 0 opposed for all motions from the Ordinances and Administration Committees on Mr. Harris' appointment as well as the six that follow. There was confusion to the votes in favor due to the meeting having been jointly conducted with the Budget and Finance Committee.

2. Jeanne Boland, Tourism Commission

MOTION: On motion of Councilor Tobey, seconded by Councilor Ciolino, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the appointment of Jeanne Boland to the Tourism Commission for a term to expire 2/14/12.

Councilor Hardy thanked Ms. Boland for her volunteerism and noted it is nice to have a restaurateur on the Commission.

MOTION: On motion of Councilor Romeo Tobey, seconded by Councilor Romeo-Theken, the City Council voted in favor, 0 opposed to approve the appointment of Jeanne Boland to the Tourism Commission for a term to expire 2/14/12.

Councilor Tobey called a one minute recess due to technical problems.

Councilor Tobey called the meeting back to order.

3. Anne DiMambro, Cable TV Advisory Committee

MOTION: On motion of Councilor Tobey, seconded by Councilor Curcuru the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the reappointment of Anne DiMambro to the Cable TV Advisory Committee for a term to expire 2/14/12.

MOTION: On motion of Councilor Hardy, seconded by Councilor Ciolino the City Council voted 5 in favor, 0 opposed to approve the reappointment of Anne DiMambro to the Cable TV Advisory Committee for a term to expire 2/14/12.

4. Daniel Morris, Open Space Committee

MOTION: On motion of Councilor Tobey, seconded by Councilor Ciolino, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the appointment of Daniel Morris to the Open Space Committee for a term to expire 2/14/12.

MOTION: On motion of Councilor Romeo-Theken, seconded by Councilor Ciolino, the City Council voted 5 in favor, 0 opposed to approve the appointment of Daniel Morris to the Open Space Committee for a term to expire 2/14/12.

5. Noel Mann, Open Space Committee

MOTION: On motion of Councilor Tobey, seconded by Councilor Ciolino, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the appointment of Noel Mann to the Open Space Committee for a term to expire 2/14/12.

MOTION: On motion of Councilor Romeo-Theken, seconded by Councilor Ciolino, the City Council voted 5 in favor, 0 opposed to approve the appointment of Noel Mann to the Open Space Committee for a term to expire 2/14/12.

6. Charles Crowley, Open Space Committee

MOTION: On motion of Councilor Tobey, seconded by Councilor Ciolino, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the appointment of Charles Crowley to the Open Space Committee for a term to expire 2/14/11.

MOTION: On motion of Councilor Romeo-Theken, seconded by Councilor Ciolino, the City Council voted 5 in favor, 0 opposed to approve the appointment of Charles Crowley to the Open Space Committee for a term to expire 2/14/11.

7. Susan Hedman, Open Space Committee

MOTION: On motion of Councilor Tobey, seconded by Councilor Ciolino, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the appointment of Susan Hedman to the Open Space Committee for a term to expire 2/14/11.

MOTION: On motion of Councilor Romeo-Theken, seconded by Councilor Ciolino, the City Council voted 5 in favor, 0 opposed to approve the appointment of Susan Hedman to the Open Space Committee for a term to expire 2/14/11.

Councilors Requests to the Mayor. None.

Councilor Tobey called a one minute recess called due to audio malfunction.

Councilor Tobey called the meeting called back to order.

Presentations: Administration – Introduction of New Personnel

Councilor Tobey noted there would be introductions of two sets of new personnel. There were a number of senior positions filled at the DPW, but they will have to present their new personnel at another date as their Director, Mike Hale is under the weather. The Community Development Department has new personnel and Ms. Garcia, the director will present them.

Ms. Garcia introduced Stephen Winslow from Somerville who worked on a Robert Wood Johnson Foundation grant regarding mobility in the Somerville community. He has enormous expertise in working with grants, bikeways and pedestrian grants, ways of improving our recreational areas. He is funded entirely from a grant Jack Vondras and she were able to obtain from the State, a two-year grant called Mass in Motion. She noted his law degree is from the University of California, Davis. She also said he was on the School Committee in Malden, where he is a resident, and her department is pleased to have him.

Mr. Winslow thanked the Council and found it welcoming in Gloucester. We have a great partnership with the Gloucester program that are involved with many partners; the Fishermen's Wives, the Trustees of the Reservation and quite a few others in the process of evaluation. The Gloucester program is a two-step program of assessing health, nutrition in the community. The results are to be presented in late January based on that evaluation with community input. They will develop a community action plan to address health and nutrition, in an effort to address rising incidence of obesity and over weight in our community. There are 10 other communities who have this Mass in Motion grant. It is modeled after tobacco control programs with actions that the whole community can take part in and buy into to make a healthier community. He noted the community is very committed; and they will let everyone know about their meeting in January.

Ms. Garcia introduced the new half-time conservation agent, Lisa Press. She also works half time in Manchester. She has an undergraduate degree from Amherst College and a Masters Degree from Tufts in Urban and Environmental Affairs. She has worked 10 years in Manchester as a conservation agent and on various boards and commissions. Her recommendations were wonderful from the people she worked with over the years in Manchester. She said Ms. Press is very thoughtful and knowledgeable.

Ms. Press said she's been here five months, and noted the natural resources in Gloucester are incredible, both inland and obviously along the shore. You have a very environmentally aware community. The people she works with in the Community Development Office are terrific. There is a great deal of knowledge there on all sorts of issues and resources. She has been very happy working in Gloucester.

Councilor Tobey welcomed both new employees on behalf of the Council and the City and look forward to meeting the employees of the DPW in the future.

Consent Agenda:

Mayor's Report

Action

1. Memo from Grants Administrator re: Request for permission from City Council for Presentation to Council from Ocean Alliance regarding renovation of the Paint Factory (Approve)
2. Memo from CFO re: Loan Authorization Request for water treatment plans and system distribution improvements (Refer B&F)
3. Memo from Com. Dev. Director re: Acceptance of grant for down payment of parcel of land known as I4-C (Refer B&F)
4. Memo from Com. Dev. Director re: Approval of CPA Committee's hiring Project Manager (Refer B&F)
5. Memo from Police Chief re: Weed and Seed grant from U.S. Department of Justice (Refer B&F)
6. Memo from Harbormaster re: State grant for North Channel, Inner Harbor (Refer B&F)
7. Memo from CFO re: Acceptance of funds from City Hall Restoration Commission (Refer B&F)
8. Review and recommendation of disposition of real property for the American Legion Building (Refer B&F)
9. Special Budgetary Transfer Request (#10-11) from DPW and Memo from Assistant City Engineer (Refer B&F)
10. Special Budgetary Transfer Request (#10-14) from CFO Jeff Towne (Refer B&F)
11. Special Budgetary Transfer Request (#10-15) from City Auditor Marcia McInnis (Refer B&F)
12. Memo from Operations Manager-DPW request to purchase new mowing equipment (Refer B&F)
13. Memo from Operations Manager-DPW request to pay for services procured without a purchase order (Refer B&F)
14. Report from City Auditor re: Accounts having expenditures which exceed their appropriations (Refer B&F)
15. Memo from Health Director, regarding another H1N1 amendment for the Medical Reserve Corps Grant (Refer B&F)
16. Memo from Principal Assessor, Nancy Papows re: Council adoption of an ordinance relative to CPA (Refer O&A)
17. Request from National Grid re: electric easement for overhead system at 401 Essex Avenue (Refer Land Disposition & P&D)
18. Appointment to Community Preservation Committee
William Dugan, Gloucester Housing Authority Representative TTE 02/14/2011 (Refer O&A)
19. Addendum to Mayor's Report: Special Budgetary Transfer Request (#10-13) from Fire Chief (Refer B&F)

Information Only

1. Cape Ann Caucus – November 20, 2009 (Info Only)

Approval of Minutes

1. City Council Meeting 10/20/09 (Approve/File)
2. Special City Council Meeting 11/05/09 (Approve/File)

Orders

1. CC2009-046 (Grow) Amend Sec. 17 of GCO re: Civil Service Ballot Measure and Procedure for Selection Of Police Chief (Refer O&A)

Items to be Removed from Consent Agenda:

MOTION: On motion by Councilor Grow, seconded by Councilor Ciolino, the City Council voted 5 in favor, 0 opposed to remove Item #8 from the Mayor's Report and accept the amended Mayor's Report as presented.

Councilor Grow said he is on the Facilities Committee and as they are doing a facilities assessment to establish a regular and consistent policy on City leases on City buildings and would like to hold this off in making a decision until a policy is drafted so that we can put forward a lease that is consistent with a City wide policy.

MOTION: On motion by Councilor Grow, seconded by Councilor Romeo-Theken, voted 5 in favor, 0 opposed to refer Item #8 of the Mayor's Report to the Budget and Finance Committee.

Councilor Ciolino asked how long we have to delay this.

Councilor Grow said something should be coming forward fairly shortly, in December.

For Council Vote:

1. Warrant for State Primary Election 12/08/09

Councilor Hardy asked to amend the warrant to show Ward 4, Precinct 2. The warrant indicates that it is Plum Cove School. I would like to amend that to show the voting place to the Lanesville Community Center at 8 Vulcan Street.

MOTION: On motion by Councilor Hardy, seconded by Councilor Romeo-Theken, the City Council voted unanimously 5 in favor, 0 opposed to amend the warrant for the State Election to show Ward 4, Precinct 2 voting place to be changed from Plum Cove School to the Lanesville Community Center at 8 Vulcan Street.

Discussion: None.

MOTION: On motion by Councilor Hardy, seconded by Councilor Romeo-Theken, the City Council voted unanimously, 5 in favor, 0 opposed to approve the Warrant for State Primary Election and amend to show the voting place for Ward 4, Precinct 2 to be changed from Plum Cove School to the Lanesville Community Center at 8 Vulcan Street.

Scheduled Public Hearings:

1. **PH2009-040: Regionalization of North Shore Regional Vocational School District (Continued from 10/20/2009)**

The Public Hearing is continued from the October 20, 2009 City Council Meeting.

Councilor Tobey said that while this is not a mandatory public hearing, it is also one that has not been done as that everyone who is in favor speaks first and everyone who speaks against

speaks second. This has been handled more by way of dialog. The point of this evening is to continue this conversation. Unless there is objection, those folks who have not previously spoken would please do so tonight. We have a number of written communications to have the City Clerk to read into the record when all the folks wanting to speak have done so. Two members of the School Committee, Ms. Healey and Ms. Teixeira will share with the community the posture of the School Committee on this matter.

Speaking in favor:

Al Sampson, 250 Essex Avenue. Union carpenter and representative of the Carpenter's Council.

Shane Skinner, 10 Mt. Vernon Street, vocational school graduate.

Matthew Carroll, former vocational school student and Magnolia resident.

Steve Asaro, 17 Gloucester Avenue. My opinions have fluctuated. My first thought was this is a no-brainer for Gloucester, close our programs, and send them all to the Voke. Our program is fantastic and serves 160 students. They need to stay open. So why don't we save on the capital expense and school choice our students. With Peabody joining and the expansion to 23 options, this school is too good not to take this chance and opportunity. He is a fiscal conservative. An average of \$90,000 extra a year for 30 years is a lot to swallow. He shares your concern. But what pushed me over to support this is while our high school does a great job, our vocational program leaves out non-college track females. Dozens of female students post-grad go to expensive schools to finish their training. What are we saying to our young women and to our young men not interested in the current programs? If we drop out of the Regional Tech Voke School we will be doing our students a great disservice. He gave the example of his daughter and her vocational experience, on to further vocational education post-grad, and how it has paid handsomely for her. She has gone on to earn a good living and contribute financially to the community. Give our students this opportunity. Give them a shot at 19 more vocational programs and skills. We need to invest in these students. We plow roads regardless of cost because we need it as a community. We need to spend \$90,000 a year more as a community.

Eileen Burnham, 5 Sylvan Street.

Jonathan Pope 16 Marble Street. He understood the equity issue here. He would like to be a little cautionary about two things. The percentage of students on IEP's at North Shore Voke is 37%. As those students come back, or that population doesn't go, there is going to be added costs. It's not the straight wash that we're spending; not the \$11,000 per student that we're spending. The other thing is from his long experience in trying to introduce new programs into the school systems; and a lot of what we did was around special education and trying to bring students back from outside placements. It takes money up front. Unless you have that money committed, you won't be able to make drastic improvements in your own vocational program up front. It's not coming down the road with your savings. You won't be able to take them back all at once. You have to develop programs to lure them back and make them want to stay

in Gloucester. It's going to cost you more probably than what it will cost you to stay in the Voke. Be prepared or you'll just be treading water.

Speaking in Opposition:

Doug Parsons, 39 Mt. Pleasant Avenue.

Susannah Altenberger, West Gloucester. She spoke of jobs creation and the training opportunities for marine skills and marine industrial trades and to extend our existing VoTech programs to include them.

Both Councilors Devlin and Curcuru are now present.

Communications:

Communications were read into the Record by the City Clerk and on file. Those statements were from:

Joe Marino, Junior at North Shore Technical High School.

Alicia Marchant, North Shore Technical High School graduate.

Jane Keddy, parent of a North Shore Technical High School student.

Thomas MacDonald, 322 Essex Avenue.

Dianne Eason, 407 Essex Avenue.

Leonard Linquata, owner of the Gloucester House Restaurant and Seven Seas Wharf.

Bill Johnson, 26R Fort Square.

Councilor Tobey noted that this was Ms. Lowe's first meeting as City Clerk.

Melissa Teixeira, member Gloucester School Committee and North Shore Technical High Committee. You are looking for a recommendation from the School Committee, and when the public hearing is closed we will be able to make that decision. When she attended the B&F Meeting on October 29th, we had the discussion on the funding mechanism of the merger and financial impact. We had discussed the Charter School approval and the opportunity that we may be in a feasibility study to obtain a new school in Gloucester, and we may find out more about that tomorrow. We talked about the timing issue. She had reported before that under Section 4 of the legislation we had until July 2012 to make a decision. 75% decision was needed by December 15; however she informed the City Councilor that there was a possibility we had more time at that late date. When she was in the School Committee meeting in Middleton last Thursday, we discussed Gloucester's financial situation and asked for their understanding, patience and consideration as we deal with the many financial issues before us that will have a significant impact to our budget around the same year this school will be built. She was informed that the language of Section 4 giving us until July 2012 will likely be changed; and they are seeking to amend that language so as to move the deadline to July 2010. The delay was put into the legislation was to help smaller towns to have the opportunity to come to a decision since they don't hold meetings as often as a large city would. The feeling was that Gloucester was taking advantage of this they are thinking to change the date since

Gloucester's decision is important to the determination of the size of the school. They are very likely to get the 75% on time and obtain the funding, and she's sure they're very eager to meet with architects and engineers to get the building in place. It is her understanding they are going to try to move that date up.

Amy Beth Healey, Vice-Chair of the School Committee. She is speaking due to School Committee Chair's conflict on this issue. At the October 28th meeting of the School Committee, there was a lengthy discussion about the pending decision, of the City Council, on joining the new North Shore Vocational district. The best way to explain this is to take it directly from our minutes: "After a lengthy discussion regarding the pros and cons of joining and /or not joining the new regional vocational school membership, the Committee agreed with the recommendation of Mayor Kirk and the Superintendent of Schools that the Committee did not need to make a decision that night. The Mayor's hope was that it is a decision to defer the decision until the January or July timeframe of the year in which the new school opens. The key is to make the most use of the time the Committee will gain if they defer the decision until later.

In order to make the most of that time, we are currently creating a Steering Group that will manage the process and complete an overview of the entire vocational program development. Under the Steering Group advisory committees, along the lines of those required of approved Chapter 74 courses, will explore and make recommendations on particular vocational areas. The goal of this Steering Group is to explore and make recommendations on the expansion of Chapter 74 courses at Gloucester High School. The Steering Group would give advice on programs, facilities, personnel and costs by May, 2010. The information will then be referred to the Program Subcommittee and the Building and Finance Subcommittee. That date may be pushed forward if the North Shore Vocational District is able to change their timeframe from that July/January date.

The Committee has done a great deal of work on this issue. We have visited, along with some Council members, each of the schools. We have spoken with our colleagues on the Council and passed forward all of the information we have. Yet at the current time there is not enough information on the new district for Gloucester to make an informed financial decision. And that is what this comes down to. One question that has yet to be answered: how is Gloucester going to pay one quarter of a million dollars in debt service for this project in Middleton?

The Mayor has suggested that all costs and corresponding revenue for Chapter 74 be transferred to the school budget and the debt service be paid out of the "new money" each year. In my time on the School Committee I have yet to see that new money be enough to get us past the budgetary increases we do not control such as health insurance and out-of-district tuitions.

So as a School Committee member, she wants to know what she will need to cut from the current budget to pay this debt service. Vocational programs? Teachers? Special Ed programs?

As a taxpayer, she would like to know what services she will have to live without to pay this debt service.

It has been suggested that some folks will gladly vote for a Prop 2-1/2 override to pay the debt service, yet we could not get an override to keep fire stations open. Where will the money come from?

The Public Hearing is now closed.

Councilor Tobey asked of procedural questions from one councilor and ask that they be raised now on the School Committee's contemplated roll. He asked Councilor Grow if the B&F Committee had a recommendation for the Council now.

Councilor Grow doesn't have B&F's recommendation at this time as they are waiting on the School Committee. The November 30th B&F meeting is when this issue next scheduled to be heard.

Ms. Healey stated there was discussion of having a recommendation by the end of December but they are not committing to that at this time.

Mr. Farmer wanted to remind his Committee and the Chair of B&F that when last discussed, it was the intention the School Committee to meet on the 23rd and B&F on the 30th, and then if people feel ready to make a decision there would be a track to make a decision made by the School Committee and by the City Council by mid-December.

Councilor Grow asked would there be discussion tonight from testimony that bears taking up in making this decision before we come to the B&F meeting for another go around.

Councilor Tobey said there would be great value in that; useful to us, and to the School Committee. It is not fair to the community to drag this out particularly if we're looking at the Regional Voke is going to move the deadline back to where we thought the original deadline would be.

Councilor Grow asked Ms. Teixeira to explain the change in Section 4 and the mechanism as to how the North Shore School Committee can make that change at this stage of the game. It feels like the rules are being shifted in response to our taking our time.

Ms. Teixeira said she can only say what was reported to her at the School Committee meeting. Ms. O'Maley and Mr. Harvey from the North Shore School Committee are here tonight and would be able to answer that sort of question more thoroughly. They have to seek permission to amend the legislation. They have to have a good reason, and it sounds like they have one. She can't imagine they would be put on hold for such a long time to determine what size of school to build. Because they need to know the size of the school, that's probably the reason for moving it up. She was told that original legislation was written for small communities. You may want to ask someone from the Regional School Committee.

Councilor Tobey asked if there was someone from the Regional School Committee who would like to come up.

Mr. Parisi, 74 Wheeler Street, Vice Chair of the Temporary North Shore School Committee stated that it is not the body that Ms. Teixeira sits on that makes the decision. This is a temporary oversight committee appointed by the legislation. That group, led by Wayne Marquis, Chairman, and myself as Vice Chairman, is the one coming before the towns to get the votes. We do believe we have the 75% by the December 15th deadline. They will be issuing requests for architectural proposals the first of the year. They have the \$100 million from the State so we need to know what size school we can build. They can't spend \$14 million on architecture that isn't sized for the members appropriately. They have asked the legislature for an amendment that requests up to this spring so that they can get a decision. The Committee is going to move forward at which point a new School Committee will be created by representatives of the cities and towns who join; and they will create the regulations on that new school.

Councilor Grow noted that's why he's confused. On the several times we've talked about this we were told that regardless of whether Gloucester indicated their interest, there was enough interest in the districts all ready committed to fill that 75% and it wasn't hinging on Gloucester.

Mr. Parisi stated they don't make that decision. The MSBA makes those decisions. Katherine Craven, Executive Director of the MSBA makes those decisions. If we don't have the student enrollment based on our 2005 data, she's going to downsize our school. How many students you have equates to how many dollars you get per square foot. They're not going to build a \$130 million school for 1,440 kids if there's only going to be 1,300 kids because the 140 was the Gloucester piece.

Councilor Tobey asked the councilors for a dialog amongst themselves.

Councilor Romeo-Theken said she keeps hearing we're putting child against child and the local Voke. When was the decision made to close the local vocational program?

Ms. Healey responded that her understand is that it is the City Council's decision to join the new regional vocational school and the School Committee's responsibility to service the students in Gloucester. The numbers she knows is that between North Shore Voke and Essex Aggie we have about 63 students currently attending. We average a 20 student waiting list per year. We currently have about 140 students in Gloucester's vocational program. From what she has seen, when it becomes student versus student is when it comes to the money. No one wants to deny a child an education, but we need to be fiscally responsible to the 3,500 students as well, so we need to find out how to fund this.

Councilor Romeo-Theken said we took a tour of the high school program. She congratulated the Gloucester vocational teachers on what they do with what they have to work with. Thanks to Mr. Verga that machine shop all donated and put him as a full-time teacher. We're talking about expanding, merging and children on a waiting list. Everyone knows that these children need to be served. 37% are on IEP's. She is a very big advocate of special needs services. She never heard the School Committee say they're not going to shut our program down. We're talking about the merger. I want those children who just joined at Gloucester High School to

have their education in our program. Students tell me that they were previously in trouble but that they are successful in the vocational program. We don't want to make these students feel separate.

Ms. Healey stated there has been absolutely no discussion of closing the GHS vocational program.

Councilor Ciolino asked of Ms. Healey if the Administration has been talking about the cost, taking from the City side to the School side. If it stays on the City side, what difference would it make to the financials of the Voke and keeping our local Voke school going and the \$90,000 on the debt service?

Ms. Healey said what are you going to cut from the budget in order to make the quarter of a million dollar debt service, and what is the Mayor going to look at to cut in the schools?

Councilor Ciolino said that then it would be helpful to keep it on the City side. But actually the debt service would be \$90,000 a year for 30 years?

Ms. Healey said the spread sheet they were provided with from North Shore Vocational is based on our attendance; it would be \$233,000, so yes, it is rounded it up to a quarter of a million dollars. She said she's torn on how it's going to be funded.

Councilor Ciolino asked how many votes is it going to take, is it going to take 6 or 5.

Councilor Tobey said he believes it is a simple majority and asked City Clerk to check this.

Councilor Curcuru said you currently have a committee to look at enlarging the Gloucester Vocational program.

Ms. Healey said they voted to start a steering committee to expanding the GHS program and supported by an advisory group from different industries

Councilor Curcuru said a comprehensive study would be made and could take a good part of a year.

Ms. Healey said they're making a deadline by May 2010 since the North Shore Voke has stated they're going to move up their deadline they will have to move up their deadline.

Councilor Curcuru asked would you be able to give a recommendation until this study is completed. Would your study include an engineering feasibility study?

Superintendent Farmer stated it's very important that everyone understand this there is a certain element of contingency around the planning of the vocational program expansion. His extensive experience has been that there may be some potential for expanding the programs at Gloucester High School in a fairly limited way. Mr. Pope was absolutely right that any expansion would require funding up front. Were the City Council to say not to join the new

regional technical school district, then the question would be what number of students who would want to go to the school district who normally would have gone to the district in terms of numbers and would not get in because they'd be "tail-end Charlies" in terms of getting in because the regional district would take in students who are regional members first and then other students would get in. The numbers are currently 63 and that number would drop. That would free up some resources; then we could think about more funding at the high school. He didn't think we would be serving the students well if we found that the number of students going to the North Shore Tech in the new regional school district dropped significantly, and we weren't in a position to make a thoughtful expansion.

Councilor Hardy said she was fortunate enough to tour both facilities with the rest of the School Committee. And the people put us on the tour said we could approach anyone on the tour. When she got back to the local vocational program she went through the four classes. Throughout the four classes, she pulled 9 students aside. She asked them if they wanted to go to the regional school if they had ability to go would they go. Five said they'd rather stay in Gloucester. Some had local jobs, some for sports. Of those 5, it was asked what would happen if the local Voke goes, they said they would quit school. It comes out to 33% of the students she talked to would drop out completely if Gloucester closed its vocational program. What would Gloucester do with the 137 students that are now going to our local Voke; how would we absorb them into our school system with 33% saying they would drop out. How would the school system handle it?

Ms. Healey said we are not considering closing the local program.

Councilor Hardy said fiscal reality is that we can't afford to do both. She'd like to see the expansion and improvement of the local Voke. The regional Voke would probably build to have additional school capacity to expand to a greater level, and we're looking at it another way.

Ms. Healey said she doesn't recall any conversation that we wouldn't expand. We are looking at what we can do to expand into different programs. This is what the steering group would be telling us.

Councilor Hardy said she is looking to the School Committee for their recommendation as to how to vote.

Mr. Farmer said for the public record is that if we can the best is to do both. He believes there is a shortage of opportunities in vocational education on the North Shore. There is demand, and we should try to meet that demand. One thing we need to make clear is that he doesn't know why there is a story of closing the local Voke is being circulated. He has not been any meeting where that has been said. If we close the problem, what do we do with those children? The High School classes are pretty full. The young people are in these programs for the reasons that are articulated in the letters read into the minutes this evening. So we would have to make some provision for them. Maybe they're not core Chapter 74 courses, but we would still be doing some shop works under another name. If we do that we could lose the higher level of Chapter 74 funding for the programs. The concept that somehow closing our

vocational program is somehow going to save a lot of money is a serious mistake. Those children need an opportunity; and it is my intention that we need to provide them with an opportunity.

Councilor Hardy said if we increase the Chapter 74 programs there might be additional funding come our way?

Ms. Healey said if we go up to 5 programs we need a full time director.

Mr. Farmer said if we expand the program we need to provide leadership. We need it now, and it has been a part of our budget proposals for the past 2 or 3 years. There are scheduling changes. You've also heard about the exploratory program at North Shore Tech where freshman have an opportunity to try all the programs and decide where they want to major over their last 3 years. Chapter 74 funding is significantly higher than general education funding and clearly, that would help to offset the costs of running that kind of program bearing in mind that State aid only runs at 17.6% of the foundation budget at best.

Councilor Devlin reminded the Council that he has reused himself from this decision-making process.

Councilor Tobey commended Mr. Farmer for putting out there one the most important things he's heard so far and, that it is, the recommendation of the professional who runs the Gloucester school system that we are best serving the kids of Gloucester if we find a way to do both. We need to find a way to do both. We keep finding ourselves in these ridiculous corners such of the one we're trying to back ourselves into right now because of money typically because we have a terrible partner in performing our functions as members in local government when we look to the State. And here we go again. As one of 9, I would vote to go with this vocational program now and let the chips fall where they may. We can't commit to you tonight and tell you where the money will come from for FY2012, FY2013, FY2014. We may simply have to say to the State, you know what – it's your problem; come in and take it over we can't make it right. We can't throw our kids under a train; our community's economy under a bus, the City of Gloucester's future out the window because the State keeps creating these false unnecessary crises.

He continued to say that Mr. Farmer spoke of his experience, but he said he has a lot of experience in Gloucester. What I have never seen in the City of Gloucester is a good measured fiscal discipline often because of nasty circumstances whereby we can eliminate our participation in something or cut purchasing on something and take that money we save to put it into a locked box to put it away to spend on some worthy thing, in this case taking the money we now spend on North Shore Tech to spend on our own programs. He noted he was terribly worried that given personnel costs, health insurance costs, energy costs on your side of the budget and that of the City, that it's a forlorn hope. Give me some hope that some of that money would be put aside in a locked box and spent on the expansion of the Voke program in Gloucester.

Mr. Farmer said the City Council can approve a school committee stabilization fund. That might be an avenue for doing that. The difficulty is that each year when the School Committee faces annual difficult decisions, the concept of a lock box where there are funds available now to meet some very real needs are difficult choices. We don't have an endowment fund arrangement. Ms. Teixeira pointed out the debt service in 2014 the first big hit and then the Charter School and West Parish. Whether we have the charter school or not will be known in the next month. The faster it goes the greater the drain on our resources. The other game in town is Fuller which clearly is a major asset. The Chair of the School Committee has ideas are not dissimilar to his own looking at the potential of it. It is a player as to how we utilize it to raise revenue to offset debt service. The advice he's receiving about city planning that it is an absolutely critical decision as to how we move forward. We don't have a lock box, but we do have very important assets about which important decisions will need to be made that could impact West Parish, that could play on whether or not we join the new regional technical school district.

Councilor Tobey said it has been suggested by Mr. Marino in his letter that one of the ways to control costs is to cease the practice of allowing recruiters to come into the Middle School to recruit for the enrollment in North Shore Tech is to have recruiters go to Middle School that we stop advising kids of educational opportunities there. As the leading educational professional in this community, do you recommend that we stop advising kids of educational opportunities that might otherwise be available to them?

Mr. Farmer said it is his understanding that it is unlawful to prevent the recruitment of the students. It makes no sense to prevent an opportunity for our students to learn of other educational opportunities. Our own programs should be more proactive in recruitment.

Councilor Grow thought that there needs to be some clarification here. This is not about the quality of the education at North Shore Tech. That is without par. And it's not about the quality of the education at GHS. The opportunities being offered there are exceptional. In some regards what's being given to students at North Shore Tech is the level of opportunity that ought to be offered to every single student in our community, no matter their track. We are talking about a tremendously wonderful opportunity to a small group of kids. We don't have librarians in our schools; we are cutting back on languages in our school. That is the heart of the equity issue to me. This was framed to us backwards. We were told we had to make a choice that there was going to be allocation for vocational education and up to us what to do with it. If the intention to put the educational costs into the budget then we should put the non-educational costs out of the school budget. Let's take health care costs out of the school budget. When they go up 18% and the School department is given level funding. It's not on the City side. It's a line item in the budget. It's treated as a department. The merger, he agrees with Councilor Tobey and Superintendent Farmer; we ought to find a way to do both. Agree we should not be denying students without. But we're being asked to commit to an expensive program by backing into this agreement. If we're going to commit to expanding our Voke program at GHS, he's not seen any commitment from the Administration to put the money there. Unless the City is willing to commit millions of dollars we are not going to create a meaningful shift of students into our programs. We're talking about a 7 year commitment where it isn't practical. Until there is a commitment from the Administration, you

can't fund the vision without a plan for funding it. There is a huge disparity in opportunities. People are adamant about vocational schools. Would you be willing to spend money on each and every student in our school system? Do we as a community want to value our student's education to give an equitable opportunity to all our students. When are we going to put education at the top of our list? We are facing issues elsewhere. We have fire stations closed, problems with infrastructure. We have a \$6 million loan issue coming forward on water. Debt service has to be carried somewhere. Some of the most ardent voices to not have an override are the most ardent voices for the vocational school. He noted he is very conflicted. It's about what we can afford and how we reconcile this moving forward.

Councilor Ciolino stated he's heard from a lot of people who have graduated from the vocational schools and those who teach in the programs. The regional school is a great opportunity for our students. We need to do both. The State's kicking in \$100 million. Yes we'd have to make a quarter of a million dollar investment, but we should do it. He noted that the economy is cyclical and as it changes the City needs to be prepared for that upswing. We have to plan for it now. He cautioned the Council about parents who could choose to send their children to other communities who are regional Voke members and choice them in from there. He is fully supportive when the time comes.

Councilor Grow said that this is being taken up in B&F on the 30th. We can bring forward some further discussion on December 1st.

Councilor Tobey stated that this matter will be put on as unfinished business by the City Clerk on December 1st City Council agenda. He continued that if the date is moved up, we would like to know about the legislation that is pending. We may have that July 2010 deadline staring us in the face and a one year study won't cut it. He said he has had calls from the Lt. Governor, extremely senior leadership at the State level asking what's going on in Gloucester. We should be looking for a decision and not avoidance.

Councilor Grow asks that folks to show up for other meetings. We need your involvement in educational situations across the board.

2. PH2009-050: Tax Classification.

The Public Hearing is Open.

Speaking in favor:

Bob Hastings, 196 Main Street. Chamber of Commerce stated the Chamber supports and is in favor of this tax classification the same as last year.

Speaking in Opposition:

Ruth Pino, 82 Wheeler Street.

Communications:

Questions:**The Public Hearing is closed.**

MOTION: On motion of Councilor Ciolino, seconded by Councilor Curcuru, the Budget & Finance Committee unanimously voted 3 in favor, 0 opposed to recommend to the City Council a Tax Classification Factor of 1.06 percent.

Discussion: None.

Councilor Grow thanked Nancy Papows and her staff in the Assessors office for their work on the issue. They do an exceptional job of explaining this issue every year. Considering the economic times, stability was something to be sought in this particular case, and that they opted to leave things the way they are.

Councilor Tobey said after all the turmoil over the years taken place in this room, it is a good thing to find a level of stability. He noted his understanding of Ms. Pino's stance and respected the Chamber's stance to maintain our stability.

MOTION: On motion of Councilor Grow, seconded by Councilor Romeo-Theken, the City Council by roll call voted 7 in favor, 0 opposed to approve a Tax Classification Factor of 1.06 percent.

3. PH2009-051: Acceptance of M.G.L. c64L sec. 2(a) and M.G.L. c64G, sec. 3A.**The Public Hearing is Open.**

Councilor Tobey explained that the subject matter would be the adoption of the local meals tax and hotel/motel taxation. He mistakenly said last evening that it was not on this agenda. However, this public hearing has been rendered moot by two votes of the O&A Committee - the binding over of the matter in O&A of the hotel/motel taxation to January 2010 and the vote of the O&A Committee last night to advertise to have a separate public hearing on meals tax; and therefore declares this public hearing closed.

4. PH2009-42: 2009 Rezoning of 447 Western Avenue (Continued from 10/20/2009):**The Public Hearing is Open.****Speaking in favor:**

Attorney Faherty spoke representing Edward and Patricia Wall at 447 Western Avenue. The property consists of a house lot of approximately 19,000 square feet and a house. The lot first established 1972, and the house constructed late in 1970s. Along this section of Western Avenue there are 3 pieces of property that forever have been zoned business. At one point there was a gas filling station and some other businesses in this area. There are no traditional

businesses on these three pieces of land. The Walls own one of those parcels, and it is the lot noted as Map 200, Lot 29. There is some discussion among the neighbors as to what the correct addresses, are but the City treats this as 447 Western Avenue. The City engaged in 1999 a wholesale rezoning of large portions of Magnolia, West Gloucester and North Gloucester. At the time the issue was lot size. The move was to take all the 5,000 square foot lots along the corridors and make them at least 10,000 to 20,000 square feet, and larger lots off of the main corridor roads. The issue before the City Council at that time was the effect of changing the zoning on these lots creating a number of non-conformities with the existing houses. It meant that anything anyone tried to do with these houses would require a trip to the Board of Appeals. So the City Council attempted to create what's known as a savings provision. It was rezoned with the proviso that if you had a building or an issued permit by March 9, 1999 that any increase in the size of your house would be governed by the rules that were in effect when the zoning change took place. And that in this district is essentially an R10. Nobody thought about these three lots, one of which the walls own. They left the rest of the zoning code alone. If you're in the neighborhood business district, then you're governed by the closest restrictive zoning which is R30. So, the Walls and the other two parcels on either side of them in this corridor on Western Avenue are governed by an entirely different standard of construction and setback than the whole area. The petition is to be treated as 99.9% of their other neighbors all up and down Western Avenue. We ask that it be changed to the R30 with the proviso that the same provisions are as the other lots. This would be the same as all of their other neighbors. It's still residential use and remains residential. This is a single family lot.

Speaking in Opposition: None.

Communications: None.

Questions: None

Public Hearing is Closed.

MOTION: On a motion by Councilor Hardy, seconded by Councilor Ciolino, the Planning & Development Committee voted two in favor, 0 opposed to recommend to the City Council to amend the Gloucester Zoning Map and corresponding zoning district by rezoning 19,468 square feet in NB (Neighborhood Business) district, to rezone to Residential (R-30) with savings provision at 447 Western Avenue (Assessor's Map 200, Lot 29) pursuant to an application submitted by Edward A. Wall, Jr., and Patricia A. Wall owner(s).

Discussion:

Councilor Hardy noted that the Planning Board also recommended favorably and that the applicant has shown there was a residence on the property prior to 1999, that this is in keeping with other properties in the neighborhood and that they are looking for the same zoning as the rest of their neighbors. She is in support in this application for rezoning.

MOTION: On a motion by Councilor Hardy, seconded by Councilor Ciolino, the City Council voted by roll call 7 in favor, 0 opposed to amend the Gloucester Zoning Map and

corresponding zoning district by rezoning 19,468 square feet in NB (Neighborhood Business) district, to rezone to Residential (R-30) with savings provision at 447 Western Avenue (Assessor's Map 200, Lot 29) pursuant to an application submitted by Edward A. Wall, Jr., and Patricia A. Wall owner(s).

Councilor Grow has question on the tax issue previously taken up. Why did O&A feel compelled to re-advertise on the meals tax? Are we circumventing a public hearing we are not compelled to have? Procedurally we may have a problem with this. When is this going to be next heard?

Councilor Tobey asked the Clerk who said that it is currently scheduled for December 1st and on for O&A on November 23rd. Councilor Tobey further said he'd have to go back and check on the emails between the Assistant City Clerk and himself and the General Counsel to make that determination.

5. PH2009-043: SCP2009-012: 7 Norman Avenue, Sect. 3.2.2(a)(e)

The Public Hearing is Open.

Speaking in favor:

Attorney Katherine Henry here representing Charles Caldwell and Carol Dirga to build a 24 x 20 single car garage at their multi-family home. The first special permit that we're seeking is to reduce the open space per dwelling unit in the R20 zoning district where this property is located. The ordinance requires 7,500 sq. ft. of open space per dwelling unit. This 3-unit dwelling currently has a little more than 3,700 sq. ft. of open space per dwelling unit. With the construction of the garage there would be a little more than 3,500 sq. ft. per dwelling unit. So in order for the City Council to grant this Special Permit, the Council needs to find the lesser open space per dwelling unit is in keeping with the neighborhood character and structural density. If you are familiar with this section of Magnolia, there's a lot of multi-family dwelling here. She noted there are many multi-family properties around this lot, that are 10,000 square feet and this property is 13,000 square feet, even with the construction of the garage. It's a 1/3 again bigger and has more open space than a lot of the multi-families that are around them.

There is a second permit to be voted is to reduce the distance between buildings. There is 15 ft. difference between the existing structure and the proposed garage. The zoning ordinance states that no existing building shall be closer to another principal building on the same site than the sum of their heights. The existing building is 25 ft 6 inches. The proposed structure is 21 feet 6 inches. According to this little section of the zoning ordinance, you need 47 feet distance between the buildings. It just talks about the distance between principal buildings, not accessory buildings. The building inspector felt we need to comply with this 47 foot distance between buildings. If this was an R30 lot this would make sense. The math doesn't add up. We are looking for a special permit to reduce the distance between the buildings by 32 feet. There is no view obstructing, no overshadowing, no impediment of access to service vehicles nor does it create visual crowding. This lot has no particular views of the ocean. Given the

size of the lot there should not be any overcrowding or overshadowing. The five abutters are in support of this. This will not be aesthetically displeasing.

Speaking in Opposition: None

Communications: None.

Questions:

Councilor Ciolino asked Attorney Henry to address the Zoning Board's decision about not having any water and sewer to the building. Why was that a concern?

Attorney Henry noted that this is a fear of the Zoning Board that often accessory buildings become dwelling units. It's not uncommon. As part of the Board of Health review, the owners entered into a restrictive covenant that they would not add any bedrooms to this property. This was added protection that the septic system is not over taxed. It's not on City sewer up there. This is a restrictive covenant that is on file with the Registry of Deeds. It is in the written decision of the Zoning Board.

Councilor Romeo-Theken asked if the garage will have no water and was a condition?

Councilor Henry noted the applicants are willing to have this as a condition of the special permit if the Council feels it appropriate.

Councilor Hardy said it's not in the P&D conditions. That doesn't prevent it from happening here. But it is in the other body's condition.

Councilor Romeo-Theken was concerned that if the building was sold that it would then turn into another dwelling unit. We want to make sure that it is in some kind of condition.

Councilor Ciolino said he saw it in the minutes that it is conditioned.

Public Hearing is closed.

On the motion of Councilor Hardy, seconded by Councilor George, the Planning and Development Committee voted 2-0 to recommend to the full City Council the granting of a Special City Council Permit to reduce the distance between the proposed garage and the multi family residence to 15 feet; to Charles Caldwell and Carol Dirga of 7 Norman Avenue, Gloucester and shown on Assessors Map 168, Lot #10 in Zoning Classification R20 in accordance with the Gloucester Zoning Ordinance Section 3.2.2 (e).

Discussion:

Councilor Hardy said at P&D they felt this would not create any type of a detriment to the neighborhood. There are other properties in this area that are in the same situation. There is a little glitch when we get to the distance between the buildings, and we will be getting to this at another level.

MOTION: On the motion of Councilor Hardy, seconded by Councilor Ciolino, the City Council voted by roll call 7 in favor, 0 opposed to grant the Special City Council Permit to reduce the distance between the proposed garage and the multi family residence to 15 feet; to Charles Caldwell and Carol Dirga of 7 Norman Avenue, Gloucester and shown on Assessors Map 168, Lot #10 in Zoning Classification R20 in accordance with the Gloucester Zoning Ordinance Section 3.2.2 (e).

MOTION: On the motion of Councilor Hardy, seconded by Councilor George, the Planning and Development Committee voted 2-0 to recommend to the full City Council the granting of a Special City Council Permit to reduce the minimum open space per dwelling unit to Charles Caldwell and Carol Dirga of 7 Norman Avenue, Gloucester and shown on Assessors Map 168, Lot #10 in Zoning Classification R20 in accordance with the Gloucester Zoning Ordinance Section 3.2.2 (a).

Discussion:

Councilor Hardy said that at the meeting the reduction of the distance is not detrimental because of view obstruction, overshadowing, services access or visual crowding. There are letters of support from the neighbors supporting this; and so she will support the decrease in the reduction of the minimum distance as well.

MOTION: On the motion of Councilor Hardy, seconded by Councilor Ciolino, the City Council voted by roll call 7 in favor, 0 opposed to grant a Special City Council Permit to reduce the minimum open space per dwelling unit to Charles Caldwell and Carol Dirga of 7 Norman Avenue, Gloucester and shown on Assessors Map 168, Lot #10 in Zoning Classification R20 in accordance with the Gloucester Zoning Ordinance Section 3.2.2 (a).

6. PH2009-044: COM2009-031: Extension of Special Permit re: 35 Dory Road.

The Public Hearing is Open.

Speaking in favor:

Attorney Faherty spoke representing Varian Semiconductor Equipment Associates, Inc. Back in 2007 this Council voted in favor for a permit for Varian to have two commercial wind turbines on their property. Many appeals went through the court process and the Suffolk Superior Court; and the case was dismissed on September 22, 2009. We have asked for an extension of the Special Permit. The requirement is for good cause for delay in the permit. Varian wasn't prepared to do one turbine at a time. Less than month and a half ago, we got the final go-ahead. Varian got new bids and will meet in mid-December to make the final decision and to extend this permit on account of the litigation that was pursued.

Speaking in Opposition:

Steven Goldin, 14 Hodgkins Street. He believes it should be turned down. If Varian wants to come in for a new permit, let them do so. He urges the Council to turn this down and get some financial benefits for the City.

Rebuttal by Attorney Faherty.

Spoke to Mr. Goldin's points on why the City Council should turn down the extension of the Special Permit. He is asking you for the extension so Varian can move forward.

Rebuttal from Mr. Goldin.

Mr. Goldin believes there is deception on the part of the applicants and reiterated his appeal to the Council to turn Varian's extension request down.

Communications: None.

Questions:

Councilor Grow asked what the time frame is if this extension goes forward to see the wind turbines up and running.

Attorney Faherty said new bids have already been secured. A decision will be made internal in mid-December; activity will probably start next spring. The lead time is on the delivery of the turbines.

Councilor Grow asked is there any substantial change in scope or design.

Attorney Faherty said no.

The Public Hearing is closed.

MOTION: On the motion of Councilor Hardy, seconded by Councilor George, the Planning and Development Committee voted 2-0 to recommend to the full City Council, as in accordance with the Gloucester Zoning Ordinance Section 5-22-12, the granting an 18 month extension on the Special City Council Permit to Varian Semiconductor Equipment Associates, Inc., applicant and owner of the property which is located at 35 Dory Road, Gloucester and shown on Assessor's Map 263, Lot 30 in the BP (Business Park) zoning district said permit having been previously issued on December 11, 2007 to allow the construction of two (2) land-based wind energy conversion devices as in accordance with section 5.22 of the Gloucester Zoning Ordinance – said extension is to expire June 11, 2011 with the following conditions:

1. That the original conditions of the December 11, 2007 permit remain in effect.

Discussion:

Councilor Hardy stated that we are looking at an extension not to look back on the merits of the original special city council permit. She disagrees that the Gloucester Daily Times had anything to do with her decision. She will be recommending that this application go forward and that the extension be taken.

Councilor Romeo-Theken stated she is going to support this.

Councilor Grow hopes that Varian, recognizing the impact on the community, will contribute financially to groups in Gloucester. He is going to support this tonight. It is past time to show our community that it is important to use these types of alternative forms of energy.

Councilor Ciolino says he will support this.

Councilor Tobey stated that he will be supporting this.

MOTION: On the motion of Councilor Hardy, seconded by Councilor Romeo-Theken, the City Council voted by roll call 7 in favor, 0 opposed in accordance with the Gloucester Zoning Ordinance Section 5-22-12, to grant an 18 month extension on the Special City Council Permit to Varian Semiconductor Equipment Associates, Inc., applicant and owner of the property which is located at 35 Dory Road, Gloucester and shown on Assessor's Map 263, Lot 30 in the BP (Business Park) zoning district said permit having been previously issued on December 11, 2007 to allow the construction of two (2) land-based wind energy conversion devices as in accordance with section 5.22 of the Gloucester Zoning Ordinance – said extension is to expire June 11, 2011 with the following conditions:

1. That the original conditions of the December 11, 2007 permit remain in effect.

7. PH2009-049: Amend GCO Division 10: Committee for the Arts be amended by adding "Poet Laureate Established" Sec. 2-514.

The Public Hearing is Open.

Speaking in favor:

Judith Hoglander, 52 Shore Road.

Speaking in Opposition: None

Communications: None.

Questions: None

Councilor Tobey

Public Hearing is closed.

MOTION: The Ordinances and Administration Committee unanimously voted to recommend to the full City Council the creation of a Poet Laureate Selection Committee, its membership

composition, and the setting forth of the criteria by which said committee shall review, for recommendation to the Mayor and confirmation by the City Council, the honorary title of Poet Laureate of the City of Gloucester as follows:

COMMITTEE FOR THE ARTS

POET LAUREATE ESTABLISHED

- A) The City of Gloucester shall designate a poet as the official Poet Laureate of the City of Gloucester. The Poet Laureate shall be designated by the Mayor and confirmed by the City Council. A Poet Laureate selection committee shall review applications and make a recommendation to the Mayor for the designation. The Committee shall be comprised of the following:
- a. One member of the Committee for the Arts
 - b. The Mayor or one representative appointed by the Mayor
 - c. A member of City Council or one representative appointed by the City Council
 - d. Two members chosen by the Committee for the Arts who have a demonstrated substantial expertise and knowledge of poetry and reside in Gloucester.
- B) The Committee for the Arts shall set forth the criteria for the selection of the Poet Laureate to the Selection Committee.
- C) The Selection Committee will then review the applications and make a recommendation to the Committee for the Arts for the Poet Laureate candidates.
- D) The Committee for the Arts shall forward the Selection Committee's recommendation for the position to the Mayor for appointment with approval by the City Council.
- E) The responsibilities of the Poet Laureate shall be established by the Committee for the Arts and may include but not be limited to providing public poetry readings, encouraging poetry appreciation within Gloucester, and composing and publishing poems. The Poet Laureate shall be an honorary title and shall not receive any monetary compensation from the City of Gloucester.
- F) The Committee for the Arts shall assist and support the Poet Laureate whenever possible and both parties should meet on an annual basis.
- G) The Poet Laureate shall be a domiciled resident of the City of Gloucester and shall serve a four-year term.

Discussion:

Councilor Tobey stated that this was by a really positive interaction between the Council for the Arts and O&A. Good process. Good community buy in. We can make sure we will have full faith in the process.

Councilor Grow thanked Ms. Hogland for all her efforts.

Councilor Hardy stated she looked at the October 28th ordinance from O&A. She noted the motion is the one taken from the October 28th O&A meeting.

MOTION: By motion of Councilor Tobey , seconded by Councilor Romeo-Theken, the City Council voted unanimously 7 in favor, 0 opposed to the creation of a Poet Laureate Selection Committee, its membership composition, and the setting forth of the criteria by which said committee shall review, for recommendation to the Mayor and confirmation by the City Council, the honorary title of Poet Laureate of the City of Gloucester as follows:

COMMITTEE FOR THE ARTS

POET LAUREATE ESTABLISHED

- A) The City of Gloucester shall designate a poet as the official Poet Laureate of the City of Gloucester. The Poet Laureate shall be designated by the Mayor and confirmed by the City Council. A Poet Laureate selection committee shall review applications and make a recommendation to the Mayor for the designation. The Committee shall be comprised of the following:**
- a. One member of the Committee for the Arts**
 - b. The Mayor or one representative appointed by the Mayor**
 - c. A member of City Council or one representative appointed by the City Council**
 - e. Two members chosen by the Committee for the Arts who have a demonstrated substantial expertise and knowledge of poetry and reside in Gloucester.**
- B) The Committee for the Arts shall set forth the criteria for the selection of the Poet Laureate to the Selection Committee.**
- C) The Selection Committee will then review the applications and make a recommendation to the Committee for the Arts for the Poet Laureate candidates.**
- D) The Committee for the Arts shall forward the Selection Committee's recommendation for the position to the Mayor for appointment with approval by the City Council.**
- E) The responsibilities of the Poet Laureate shall be established by the Committee for the Arts and may include but not be limited to providing public poetry readings, encouraging poetry appreciation within Gloucester, and composing and publishing poems. The Poet Laureate shall be an honorary title and shall not receive any monetary compensation from the City of Gloucester.**
- F) The Committee for the Arts shall assist and support the Poet Laureate whenever possible and both parties should meet on an annual basis.**
- G) The Poet Laureate shall be a domiciled resident of the City of Gloucester and shall serve a four-year term.**

8. PH2009-045: Amend GCO Sec 22-270 and Sec. 22-291 re: Bray Street

The Public Hearing is Open.

Speaking in favor: None

Speaking in Opposition: None

Communications: None

Questions: None

Public Hearing is closed.

MOTION: On motion of Councilor Ciolino, seconded by Councilor Curcuru the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the full City Council to amend GCO, Sec. 22-270 entitled "No Parking Anytime" and Sec. 22-291, entitled "Tow Away Zone" by ADDING Bray Street located off of Atlantic Street become "No Parking Either Side" for its entire length.

Discussion:

Councilor Devlin said he put this forth some time ago, and O&A wanted to see the petition. The Fire Chief didn't want to rename the street. We're just trying to get the no parking on the street.

MOTION: On motion of Councilor Romeo-Theken , seconded by Councilor Devlin the City Council voted 7 in favor, 0 opposed to amend GCO, Sec. 22-270 entitled "No Parking Anytime" and Sec. 22-291, entitled "Tow Away Zone" by ADDING Bray Street located off of Atlantic Street become "No Parking Either Side" for its entire length.

9. PH2009-046: Amend GCO Sec. 22-287 re: 38 Green Street, one handicapped space.

The Public Hearing is Open.

Speaking in favor: None

Speaking in Opposition: None

Communications: None

Questions: None

Public Hearing is Closed.

MOTION: On motion by Councilor Tobey, seconded by Councilor Ciolino, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to approve to amend the GCO “Disabled veteran, handicapped parking” Section 22-287 in front of 38 Green Street one handicapped parking space and that it be made permanent at the public hearing on November 17, 2009.

Discussion:

Councilor Grow asked if there is a count of handicapped parking spaces in the City.

Councilor Romeo-Theken said that the Traffic Commission has denied a couple of them. It seems like a lot but we check it off.

Councilor Hardy asked through the chair is there a procedure to eliminate parking space if someone moves, etc.?

Councilor Romeo-Theken said she asks about person deceased etc. We don't have a mechanism for this. We rely on the community to do this.

Councilor Ciolino said you just have to ask the DPW to remove the sign. We should get that cleared up as to how we get these removed.

Councilor Hardy said the DPW told her they can't pull them on their own volition.

Councilor Ciolino said it has to go through O&A.

Councilor Tobey said perhaps you can reach out to the DPW with the O&A.

MOTION: On motion by Councilor Tobey, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed to approve to amend the GCO “Disabled veteran, handicapped parking” Section 22-287 in front of 38 Green Street one handicapped parking space.

10. PH2009-047: Amend GCO Sec. 22-287 re: 50 River Road, one handicapped space

The Public Hearing is Open.

Speaking in favor: None

Speaking in Opposition: None

Communications: None

Questions: None

Public Hearing is closed.

On motion of Councilor Tobey, seconded by Councilor Ciolino, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to amend the GCO Section 22-287 to create one handicapped parking space in front of 50 River Road.

On motion of Councilor Romeo-Theken, seconded by Councilor Hardy, the City Council voted 7 in favor, 0 opposed to amend the GCO Section 22-287 to create one handicapped parking space in front of 50 River Road.

11. PH2009-048: CC2009-045(Foote): Amend GCO Sec. 22-287 re: 300 Main Street by deleting one handicapped space

The Public Hearing is Open.

Speaking in favor: None

Speaking in Opposition: None

Communications: None

Questions: None

Public Hearing is closed.

Councilor Tobey stated this would be continued and put on the agenda under unfinished business for the December 1st City Council agenda.

Committee Reports:

Planning and Development 10/28/09

MOTION: On a motion by Councilor Hardy, seconded by Councilor Ciolino, the Planning & Development Committee voted two in favor zero opposed to recommend to the City Council a temporary parking ban and or restrictions along the following areas and roads: St. Peter's Square area from approximately 2:00 PM Saturday, August 7, 2010 to approximately 3:00 PM Sunday, August 8, 2010; Main Street from approximately 7:00 AM to approximately 1:00 PM on Sunday, August 8, 2010; and Beach Court and other roads around St. Peter's Square; further that the Triathlon be allowed access to Pavilion Beach, Beach Court, St. Peter's Park, St. Peter's Sq., Rogers St., Manuel Lewis Ave., Main St., Western Ave., Hesperus Ave., Magnolia Sq., Magnolia Ave., Harbor Loop, Flannigan Sq., and other ways as deemed necessary by the Gloucester Police Chief, or his designee, for the purpose of conducting Gloucester Fisherman's Athletic Association's "Gloucester Triathlon" on Sunday morning August 8, 2010. With the following conditions:

1. That a Certificate of Insurance, naming the City of Gloucester as an additionally insured party, be filed with the City Clerks Office no less than fourteen (14) days prior to the date of the Triathlon.
2. That any substantial changes, as determined by the Chief of Police or his designee, to the route or related to safety issues come back to the Council for amendment and approval.

Discussion:

Councilor Hardy stated this is being worked on by so many people. It is going to put Gloucester on the map. She asked Mr. Pope to come in case there were issues the Council needed answered.

Councilor Curcuru said there were residents who were displaced last year.

Mr. Pope said they were aware of the complaints of limited access to businesses, and have learned from their experience of the previous year.

Councilor Romeo-Theken said she had a suggestion at last night's O&A Committee meeting that a number of restaurateurs were attending and told them of this opportunity.

Mr. Pope clarified that the race directors of the Boston Marathon will run GFAA's. The 8th is the week of the sidewalk bazaar, and we are trying to get a partnership going with the local businesses.

Councilor Romeo-Theken said she gave Mr. Pope's name to the Tourist Commission as well.

Councilor Tobey congratulated the GFAA's efforts.

The reading of the motion was waived.

Discussion:

Councilor Hardy discussed the conditions because of other events in the City that day.

MOTION: On a motion by Councilor Hardy, seconded by Councilor Grow, the City Council voted in favor, opposed for a temporary parking ban and or restrictions along the following areas and roads: St. Peter's Square area from approximately 2:00 PM Saturday, August 7, 2010 to approximately 3:00 PM Sunday, August 8, 2010; Main Street from approximately 7:00 AM to approximately 1:00 PM on Sunday, August 8, 2010; and Beach Court and other roads around St. Peter's Square; further that the Triathlon be allowed access to Pavilion Beach, Beach Court, St. Peter's Park, St. Peter's Sq., Rogers St., Manuel Lewis Ave., Main St., Western Ave., Hesperus Ave., Magnolia Sq., Magnolia Ave., Harbor Loop, Flannigan Sq., and other ways as deemed necessary by the Gloucester Police Chief, or his designee, for the purpose of conducting Gloucester Fisherman's Athletic Association's "Gloucester Triathlon" on Sunday morning August 8, 2010. With the following conditions:

- 1. That a Certificate of Insurance, naming the City of Gloucester as an additionally insured party, be filed with the City Clerks Office no less than fourteen (14) days prior to the date of the Triathlon.**
- 2. That any substantial changes, as determined by the Chief of Police or his**

designee, to the route or related to safety issues come back to the Council for amendment and approval.

MOTION: On a motion by Councilor Hardy, seconded by Councilor Ciolino, the Planning & Development Committee voted two in favor zero opposed to recommend to the City Council a temporary parking ban and or restrictions along the following areas and roads: Good Harbor Beach Parking lot, Thatcher Rd, Nautilus Rd., Atlantic Rd., Farrington Ave., Eastern Pt. Blvd., E. Main St., Main St., Rogers St., Harbor Loop, Duncan St., Western Ave., Stacey Blvd., and Stage Fort Park and other ways as deemed necessary by the Gloucester Police Chief, or his designee, for the purpose of conducting the Gloucester Fisherman's Athletic Association's "Gloucester 10K Classic" from approximately 8:00 AM to approximately 10:00 AM on Sunday morning, August 22, 2010. With the following conditions:

1. That a certificate of insurance, naming the City of Gloucester as an additionally insured party, be filed with the City Clerks Office no less than fourteen (14) days prior to the date of the 10K Road Race.
2. That any substantial changes, as determined by the Chief of Police or his designee, to the route or related to safety issues come back to the Council for amendment and approval.
3. That appropriate informational signage be erected on Route 128 N, exit 14, informing race participants, visitors to the Waterfront Festival, and the general public about which exit to take for designated parking for each event.
4. That appropriate informational signage be erected along the entrance to Western Avenue (Boulevard) and at the entrance to the City at Grant Circle as to the directions to Gloucester's Down Town Shopping Area on Main Street.

MOTION: On a motion by Councilor Hardy, seconded by Councilor Romeo-Theken, the City Council voted 7 in favor, 0 opposed for a temporary parking ban and or restrictions along the following areas and roads: Good Harbor Beach Parking lot, Thatcher Rd, Nautilus Rd., Atlantic Rd., Farrington Ave., Eastern Pt. Blvd., E. Main St., Main St., Rogers St., Harbor Loop, Duncan St., Western Ave., Stacey Blvd., and Stage Fort Park and other ways as deemed necessary by the Gloucester Police Chief, or his designee, for the purpose of conducting the Gloucester Fisherman's Athletic Association's "Gloucester 10K Classic" from approximately 8:00 AM to approximately 10:00 AM on Sunday morning, August 22, 2010. With the following conditions:

1. That a certificate of insurance, naming the City of Gloucester as an additionally insured party, be filed with the City Clerks Office no less than fourteen (14) days prior to the date of the 10K Road Race.
2. That any substantial changes, as determined by the Chief of Police or his designee, to the route or related to safety issues come back to the Council for

amendment and approval.

- 3. That appropriate informational signage be erected on Route 128 N, exit 14, informing race participants, visitors to the Waterfront Festival, and the general public about which exit to take for designated parking for each event.**
- 4. That appropriate informational signage be erected along the entrance to Western Avenue (Boulevard) and at the entrance to the City at Grant Circle as to the directions to Gloucester's Down Town Shopping Area on Main Street.**

Budget and Finance Committee 10/29/09

MOTION: On motion of Councilor Grow, seconded by Councilor Ciolino, the Budget & Finance Committee voted unanimously 3 in favor, 0 opposed to recommend to the City Council to accept the Gloucester Rotary Club's donation to the City of Gloucester in the sum of \$600.00 for the purpose of the payment of the shipping costs of the proposed bike racks for the City.

MOTION: On motion of Councilor Grow, seconded by Councilor Romeo-Theken, the City Council voted 7 in favor, 0 opposed to accept the Gloucester Rotary Club's donation to the City of Gloucester in the sum of \$600.00 for the purpose of the payment of the shipping costs of the proposed bike racks for the City.

Councilor Ciolino asked that the City Clerk send letter on behalf of the City Council or Community Development to thank the Rotary Club.

MOTION: On motion of Councilor Grow, seconded by Councilor Ciolino, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to pay the P.O. #903935, 220.58780-058 from ACS Firehouse Software of Urbandale, IA for the total sum of \$2,535.00 to be paid out of FY2010 funds to pay this invoice in full.

Discussion:

Councilor Grow said this was confusion on the Fire Department's part. It was a clerical error.

MOTION: On motion of Councilor Grow, seconded by Councilor Hardy, the City Council voted 7 in favor, 0 opposed to pay the P.O. #903935, 220.58780-058 from ACS Firehouse Software of Urbandale, IA for the total sum of \$2,535.00 to be paid out of FY2010 funds to pay this invoice in full.

Joint O&A and B&F 11/09/09

MOTION: On motion of Councilor Hardy, seconded by Councilor Romeo-Theken, the City Council voted 7 in favor 0 opposed, to amend the minutes of the Joint Meeting of

the Ordinances and Administration and Budget and Finance Meeting of November 9, 2009 on Page 7, paragraph 2 to replace the number of \$240,000 to be \$23,000.

Special O&A 11/16/09

No motions to come forward

Councilors Requests Other Than to the Mayor

Councilor Devlin mentioned the loss of Kathy Legendre which was not only a loss the City but to him personally as she was a tremendous help and friend and Mr. Crowningshield, the “mayor” of Magnolia was also a tremendous loss to the community.

Councilor Ciolino spoke of the Santa Parade November 29th which steps off at 3:15 p.m. from the State Fish Pier and ends up in Kent Circle followed by the tree lighting. Please come and watch or feel free to participate. 978-281-1227 is the number to call if you’d like to participate.

Councilor Grow said he’d like to have a Ward Meeting with Mike Hale of the DPW and Paul McGeary, the new Councilor for the Ward regarding Swinson Field and lack of completion. He also wanted to report on a meeting about the Gloucester Charter School with the Board of Education. Senator Tarr and Representative Ferrante made good arguments regarding process. The net result of today’s meeting was that despite the strong objections, they did not vote to revoke. But the glimmer of hope the inspector general launched an investigation into the process. We expect the decision in the next few weeks and will have a great bearing on whether the charter school goes forward.

Councilor Romeo-Theken asked that after the parade there will be a tree lighting.

Councilor Ciolino it’s usually around 5 p.m. and Beeman School will do some singing for us.

Councilor Romeo-Theken stated the Lobster Tree folks need help. Essex County has 117 different prescription programs. They all got letters this weekend. Prescription Advantage took away practically everything from our seniors except Gap coverage. They took away co-pays and deductibles. They took away their premiums and deductible. But the State of MA approved the health insurance to go up. Each person besides their 96 dollars taken away and their Rx program taken away and now they have to pay deductible up to \$310. We have a very limited deadline with holidays in between. We are now scheduling appointments. We have two Shine councilors. They are there on Mondays, Wednesdays, and Fridays at the Senior Center. Mondays and Fridays are Shine only. Please open your mail. If you don’t have State Health you need to look at what you have. You are all looking at additional costs.

Councilor Curcuru stated that the developers from the Hampton Inn for the residents of Ward 3 at Gloucester High School, 3rd floor lecture hall November 23rd at 7 p.m. The Inn will be built across from the movie theater.

Adjournment:

MOTION: It was moved, seconded and voted UNANIMOUSLY to adjourn the City Council Meeting at 10:45 p.m.

Respectfully submitted,

Dana C. Jorgenson

Clerk of Committees