

**GLOUCESTER CITY COUNCIL MEETING
TUESDAY, February 2, 2010
7:00 P.M.
Kyrouz Auditorium – City Hall
Council Meeting 2010-003**

Present: Council President Jacqueline Hardy; Council Vice President, Sefatia Theken; Councilor Steven Curcuru, Councilor Joe Ciolino, Councilor Robert Whynott, Councilor Paul McGeary, Councilor Ann Mulcahey, Councilor Greg Verga

Absent: Councilor Bruce Tobey

Also present: Jim Duggan, Linda L. Lowe; Jeff Towne; Mike Hale; Bill Sanborn; Fire Chief Phil Dench; Chief Michael Lane; Joseph McGowan; Tom Dubas; Sheriff Frank Cousins; David Smith; J.J. Bell; Sandra Dahl Ronan, David Hodgkins; David Anderson; Tom Quinn; Kathryn Leahy

City Council Meeting 2010-003 was called to order at 7:00 p.m.

Flag Salute and Moment of Silence

Oral Communications:

David Hodgkins, 550 Essex Avenue spoke on behalf of his mother-in-law who lives at 8 Youngs Road in Annisquam. She is 85 and handicapped and can't get around without a walker. It is impossible for her to get to her mailbox or even walk down to the street where the water comes across the road and has washed out the driveway. (Pictures submitted by Mr. Hodgkins on file). It is at the point that the hot top of the road is caving in. It is a private road he believes; however, the City maintains the plowing of the road and put the road sign in place. He has been familiar with the area since 1950. It has been 2 years that they have been trying to get help on this issue. She is unable to afford to pay for this work herself and would appreciate the Council's help. It is hard to get an automobile up to her house under these conditions.

Councilor Hardy said the matter will be referred to the Office of the Mayor.

Tom Quinn, Gloucester said that on Rogers Street where Latitude 43 Restaurant has a loading zone in front of it. This loading zone has a parking space in front of and behind it with a crosswalk behind that parking space. The loading zone area is big enough for a box truck; the restaurant gets trailer trucks delivering goods. In essence the trailer truck can't pull into that loading zone because it isn't big enough and have to double park. They're on one side of street, then another truck unloading. He suggests the Traffic Commission move the loading zone forward one space so that the legal parking space in front of it would allow a tractor trailer truck to pull in to that loading zone and back into that space. It is not elimination of spaces but to move it forward.

Councilor Hardy said the matter will be referred to the Office of the Mayor.

Councilor's Requests to the Mayor: All Councilor requests have been received in writing and forwarded to the office of the Mayor.

Confirmation of Appointments:

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Kathryn W. Leahy, Open Space Committee, TTE 02/14/2012

MOTION: On motion by Councilor Curcuro, seconded by Councilor Mulcahey, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council the appointment of Katherine W. Leahy to the Open Space Committee (TTE 02/14/2012).

Discussion:

Ms. Kathryn Leahy asked that her first name be corrected for the record as shown. She is a 30 year resident of Gloucester and explored much of the open space and has enjoyed the recreational spaces and facilities it has to offer. She feels she can bring her professional expertise to the table working for the Massachusetts Audubon Society and has worked with Community Development Plan in 2001 as well. She is thrilled that the Committee is finally constituted and looks forward to working on it.

Councilor McGeary worked with her on the CPA effort and felt she would be an asset to the Committee.

MOTION: On motion by Councilor Theken, seconded by Councilor Hardy, the City Council voted 8 in favor, 0 opposed to appoint of Kathryn W. Leahy to the Open Space Committee (TTE 02/14/2012).

Presentations:**Community Preservation Committee (CPC) – Process & Status Report**

Sandy Dahl Ronan, Co-Chair of the CPC spoke of the history of the creation of the CPC, and what the Committee is charged to do. She touched on the dedicated CPA trust fund which matches up to 100% of what is raised locally on an annual basis. Since the being signed into law in 2000, 40% (142 communities) of the cities and towns in Massachusetts have established their own CPA's. She spoke of the historic preservation projects, preservation of open spaces, many affordable housing units established, as well as recreation projects in the State. She noted the ordinance that established the Committee in 2009. Late in the summer of 2009 the CPA was formed by local ordinance was formed, with nine members with J.J. Bell as her Co-Chair. She listed the members of the Committee: Ian Lane, Bill Dugan, Karen Gallagher, Dan Morris, Scott Smith and Stacy Randall. They have had six meetings so far. The CPA budget for 2010 was approved by the City Council on October 21, 2009. Estimated revenues are \$390,000 locally raised monies. This includes administrative funds they can and will use to hire a planner to help facilitate all of what can be moved forward. The match will come in 2011, based on the monies raised on the surcharge raised in 2010. The match funding is down by 30% in 2009 from 100% in 2000 – due to number of CPA communities and real estate values declining. Ms. Ronan noted there is important legislation in the Ways & Means Committee at the State level. It is important and relevant to Gloucester - it is to keep the match at 75% and would allow communities to rehabilitate existing recreational facilities instead of just what is created by the CPA as new. Right now you can rehabilitate recreational parks created by CPA, but not those already created

by municipalities. They will update the Council and let them know the progress of this legislation.

J. J. Bell, Co-Chair said the Committee has been working on their Community Preservation Plan to outline the areas of needs and resources of the City regarding open space, historical preservation, recreation and open space preservation. They are informed by what had already been done by the City. Linda Brakeman, a member of the Community Plan 2001 Committee and others who assisted them in their effort with her experience with City processes. These plans received much input from the community and the Community Development director and her staff. It will contain specific background information of the CPA and regarding the application process. They will complete their draft on the CPA in February and send out for comment of the Council, Mayor and all interested party. The draft plan will be made available for review to any interested parties. They will hold a public hearing in April. They hope to have applications available in late spring and to have an instructional document for the community. The plan can be updated time to time as the City's needs and priorities change.

Councilor McGeary asked Mr. Bell if they have any proposals before them at present.

Mr. Bell said no not yet. Their application format is still in draft form. They won't encourage applications until sometime later this spring. Final awards would happen in FY11, and accrued monies sit in the fund until that time.

Councilor Mulcahey asked Ms. Ronan about the creation of playgrounds and their upkeep.

Ms. Ronan said the new legislation will give them a broader ability to rehabilitate what playgrounds the City has. Right now they can only create playgrounds under the current CPA rules.

Councilor Theken said when the CPA was brought forward there was a provision for those who were elderly or handicapped where they get for relief from the CPA assessment.

Ms. Ronan said they go to the Assessors office. She believed they can go now. She said her Committee meets next Monday and will address that question.

Councilor Verga thanked them for their presentation and supporting documentation (on file) and to please keep the Council updated on the legislation at the Statehouse in case the Council wishes to vote as a body to support the legislation.

Councilor Ciolino they will have a long list of projects to choose from and to use good judgment and wished them good luck.

Councilor Hardy thanked Ms. Ronan and Mr. Bell for the update asked them to come back to update the Council soon.

Presentation Completed.

911 Regional Dispatch Facility, Joseph McGowan & Tom Dubas

Councilor Whynott, for purposes of disclosure, stated he asked for permission from the State Ethics Commission to participate in this discussion as he is a Deputy Sheriff; but since the

opinion had not been received by the time of the Council meeting he would not be participating. He left the dais during this matter.

Jim Duggan, CAO introduced Sheriff Frank Cousins and his team to make the presentation and answer questions of the Council.

Sheriff Frank Cousins stated this was a grassroots effort by many fire and police chiefs in Essex County. Over the last four years much progress has been made. The State has authorized a funding mechanism for groups of cities and towns to work together in a positive way to create a regional dispatch center. Tom Dubas will update the Council on the progress since they last spoke to them. They now have a permanent location, a property at the Sheriff's headquarters. They received the remaining monies from the 911 technology grant to fully fund the project so that there is no charge backs or any type of reimbursement from any cities and towns that are needed. A field trip to the regional center they are modeling this new regional dispatch center after is available for new Councilors and public safety officials to further the Council's informational process (presentation on file).

Mr. Tom Dubas, Director of Emergency Services of Lakawana County in Pennsylvania who runs a consolidated center there. The regional dispatch center is not a new concept. His center started over 30 years ago. Regional dispatch is typical of his home state and in many areas of the country; New England is one of the last areas of the country to embrace this concept. About \$7 million has been awarded to initiate this project. The physical building for the new center is under design right now with drawings in place for the facility. So far they have eight communities who have taken the necessary legal actions to join and several others are interested. Because of the construction issue, they are looking at ending the first phase. There is no definite deadline in place. However, there will be a limit of how many communities they can take on. They would like to get everyone on board in the beginning so they can "right size" the building from the start and not spend additional money later on for more construction. Each community will be given an equal vote in this. There is a governing document that allows for policies to be formulated with a committee of fire chiefs making policy for all fire related issues; a committee of police chiefs for police policy and a town/city administrators committee for finance and the operating budget. Employees of the center will be employees of the Sheriff's Department which will handle salaries, health insurance and pensions. This will negate the need for creating an infrastructure to handle these issues. He spoke of the state-of-the-art technology, tools and training that would be available. He gave the example of a 911 call reporting a major crime in progress and how the dispatch center could send and coordinate multiple services from a State and local level and across state lines there. They were able to dedicate 11 members of their dispatch staff on it as it unfolded. They have the latest in training and technology. EMD Emergency medical dispatch is used at the regional center. Their dispatchers are trained while they are on the phone giving medical suggestions as well as dispatching EMS. They're talking people through CPR and births while help is on the way. Quality assurance is done regularly. The cost for this is a proposed per capita of \$16.26, which they feel for many communities is a cost savings. Providing a high level of service for that amount of money is something they can hold for several years at that price, a number believed to be conservative.

Chief Dench spoke of his support of the regional dispatch center. He believed it would bring technology to the City it will never be able to afford. Several years ago several members of the fire department were trained in Emergency Medical Dispatch. Money didn't come back to train more firefighters. He visited the Lakawana dispatch center and was very impressed by that.

Chief Lane said initially he was very enthused about regional dispatch and visited the Lakawana facility also. They have some technology that we don't have here but there is much technology that is similar. But he believed are some cost issues and welcomes a very healthy, spirited public discussion. He would appreciate the Council listening to the policemen and their concerns and then vote. His department supports whatever the Council decides. He hopes all sides are heard before a final decision is made.

Councilor Curcuru asked what it would cost and where would the funds come from.

Mr. Duggan told the estimated costs are \$480,000.00 which would come off the cherry sheet.

Councilor Curcuru asked Chief Dench what would happen to the dispatchers now.

Chief Dench said their options to utilize their current dispatcher per shift if the City went to regional dispatch are to put them on an apparatus which leaves the station empty of personnel if they go on a call. Another option is to keep them as a 'house man' so there would be one person in the station. The Fire Department wouldn't lose any personnel due to going to a regional dispatch system and the numbers don't change at all.

Mr. Duggan said the Administration will commit that there will be no reduction in staff numbers from the levels that they are right now.

Chief Lane said if this did come into being they would go from three policemen in the station to one who would serve as a 'house officer', mainly during the day, who would handle walk-ins, check on prisoners, and have a watch commander in the building but not in that front office. Often during the day they may end up with two officers in front. The officers are not available to be back on the street. They would have a reallocation of personnel to put them on the street to patrol or to beef up other necessary areas such as school resources or detectives. It would be basically moving two patrolmen out during most shifts; two out on the 4 p.m. -12 midnight shift; two out on the midnight to 8 a.m. shift and one to two out during the day shift.

Councilor McGeary said one of the questions raised was that a lot of the calls at the Gloucester Police station come to the non-emergency numbers. They may be emergencies but come into the regular phone numbers. How are these situations dealt with.

Mr. Dubas said 24% of their calls come in on non-emergency lines. They will be answering all calls at the new regional dispatch center that you want. Some communities at the end of the day shift forward the calls of all lines to the regional center. The intent of the center was that they would answer all calls that each community wants answered. Each community will make their own formula as to the set up to satisfy the needs for their community.

Councilor McGeary said your costs estimate this sort of thing then. He asked that a copy of the power point presentation be forwarded for the record. He said it is \$500,000.00 a year, more or less. He suggested that the City could bond something like \$80 million on a 20 year bond. This could create a pretty nice public safety center for police and fire and have their own dispatch for the City of Gloucester and wonders if this had been considered.

Mr. Duggan said they have taken everything into consideration. It is a matter of the rapidly advancing technologies driving the regionalization option forward.

Councilor McGeary noted with due respect that keeping up with technology would probably not be \$500,000 a year.

Councilor Mulcahey asked what the response time was from the Middleton headquarters to Gloucester's police or fire department. If she was down on Good Harbor beach and made a 911 call what would happen.

Mr. Dubas responded if it was done from a cell phone, that 911 call is routed to the Framingham State Police. They take that call and transfer it to the appropriate agency. It goes to Gloucester Police and then they would do a one-button transfer to the Fire Department. The timeframe is a matter of seconds from a regional dispatch center. It is a one-button transfer as well. They ask where is the emergency, what is the nature of the emergency and a call back number in case of being cut off and then transfer it to dispatch which goes out instantly. That would take about 30-50 seconds. They are proposing that with the new center it would take about the same amount of time. The difference at the call center is that there is medical information imparted during the telephone call.

Councilor Theken she wished to leave many questions until the public hearing. She can't commit to anything yet. She needs more information. At the recent O&A Committee the Police Department was just before them about updating their systems and spoke of the cost of converting to new technologies.

Mr. Duggan said that by joining the RECC, the conversion of the records to make everything compatible would be included in the price per capita of \$16.26. To do this separately would be \$50,000 to \$100,000.

Chief Lane said the RECC would give them all the technology updates, a complete records management system, allowing them to do their reports on a Windows-based system as opposed to the 1970's UNIX system they are currently using. This would be one benefit.

Councilor Theken asked about all the training and the cost.

Chief Lane said any new records system management would require training. There would be a payroll module included. Over his 9 month tenure as Chief the department has not missed a call. He believes they offer a decent product. There is always room for improvement, and they review on a case-by-case basis, but believe they do a decent job. Contractual issues and the audit mention a couple of issues, and they'll be looking at them down the road. The Administration has only spoken to them about this change [with the 911 regional system].

Councilor Theken asked about the one site to consolidate emergency services within the City and a grant that was being worked on towards that end.

Chief Dench said it is still in process. He spoke to a FEMA representative today about a grant that is still being awarded. In November 2009 the first round of grants were given out and a second round should be coming out shortly. Whether the City will be awarded funds in the second round remains to be seen. There are thousands of communities who are vying for this money. There is no guarantee that we're going to get that \$5 million or any part of it, but they are trying. He reminded the Councilors that on a grant they went for of \$600,000 for overtime funds, they only received \$300,000.

Councilor Theken asked if they have missed any calls.

Chief Dench said not to his knowledge.

Councilor Theken said Gloucester may be slightly behind the times, but she and many members of the community appreciate the personal touch of a Gloucester staff answering the non-emergency lines as well as the emergency lines.

Councilor Verga said the deadline is about a month away.

Mr. Dubas said there is a construction deadline but didn't give a specific date. There is no charge for the building costs.

Councilor Verga said the \$480,000 is the per capita charge. There's no charge to the community for the building costs. He agrees with Chief Lane that there needs to be debate because this was compelling but so are the other points of views. At some point they will be talking about the facilities report and a big picture approach to this issue.

Councilor Ciolino requested a breakdown of what exactly the 911 services for Gloucester cost. If they put \$500,000 into Police and Fire Department here the City would have a top notch 911 service.

Mr. Duggan said they will get that information to the Council. Any other questions or concerns, he will reach out to the RECC team for answers well in advance. Another reason why the Administration thinks this a good investment, reflecting back to the recent audits of Fire and Police, those audits recommended in the technology area that the joining of the regional 911 if it was available to the City would be advantageous.

Councilor Hardy asked if the City has considered setting up any type of a Cape Ann or a North Shore regional 911 center reaching out to Manchester, Essex, Ipswich, and Rockport.

Mr. Duggan said no they haven't and there's been no level of interest expressed at all during this process. They are in contact enough with the communities around Gloucester, and they would be raised by now. They have not reached out to specific communities on this subject.

Councilor Hardy said there seemed to be quite a bit of interest in this and asked if the Councilors wished for a public hearing although it doesn't need nor is required to have one. She felt there was enough interest in the matter to have a public hearing to hear from the community on this.

Councilor Theken said she would like to have a hearing on the matter.

Councilor Ciolino said he would like to have the community weigh in on the matter and hear the successes and failures of this kind of system. It will affect the community in a big way. He feels the community should have an opportunity to speak.

MOTION: On motion by Councilor Verga, seconded by Councilor Ciolino, the City Council voted unanimously 8 in favor and 0 opposed to refer this matter to the Ordinances and Administration and the Budget and Finance Committees in order to facilitate a public hearing on the matter on the City of Gloucester joining the proposed Regional 911 Dispatch Center.

Councilor Hardy said Councilor Curcuru, B&F Committee Chair, will place this matter on an upcoming meeting to be determined and then a recommendation will come out of these committees to bring a motion forward and to set a date for a public hearing.

Councilor McGeary said in addition to Councilor Ciolino's request for the costs of current dispatch, he would like an estimate on the cost of upgrading the technology as proposed by the audit report.

Councilor Hardy asked that the information on this matter be forwarded to the B&F Committee.

Presentation Completed.

Councilor Whynott returned to the dais.

Councilor Curcuru wished to entertain a motion to suspend the Rules of Procedure with regard to the order of business of the City Council for the evening.

Councilor Hardy explained that this motion to suspend the City Council's Rules of Procedure #2 that once seconded is not open to discussion or debate and must be voted on and passed with a 2/3 majority of the Council. It allows the Councilors to take items on the agenda out of order such as bringing Committee Reports forward and the public hearings immediately after.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Theken, the City Council voted unanimously 8 in favor, 0 opposed to suspend Rule #2 of the City Council Rules of Procedure with orders of business for the evening of February 2, 2010.

COMMITTEE REPORTS:

Budget & Finance 01/14/10:

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that the invoice #1250575-0209-3 dated 07/16/2009 from Waste Management of Massachusetts having a remaining balance of \$766.28, be paid out of FY10 Solid Waste Contract budget.

Discussion: None

MOTION: On motion by Councilor Curcuru, seconded by Councilor Theken, the City Council voted unanimously 8 in favor, 0 opposed that the invoice #1250575-0209-3 dated 07/16/2009 from Waste Management of Massachusetts having a remaining balance of \$766.28 be paid out of FY10 Solid Waste Contract budget.

MOTION: On motion by Councilor McGeary, seconded by Councilor Curcuru, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to create a new account under "Personnel" to be called Salary/Wage-Overtime Training.

Discussion: None

MOTION: On motion by Councilor Curcuru, seconded by Councilor Whynott, the City Council voted 8 in favor, 0 opposed to create a new account under "Personnel" to be called Salary/Wage-Overtime Training.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council to approve the Special Budgetary Transfer Request (#10-19) from Fire-Public Safety Program Unifund Account #101000.10.220.53060.0000.00.000.00.052 to Fire Dept. Salary/Wage-Overtime Unifund Account #101000.10.220.51315.000.00.000.00.051 to pay for 3 firefighters for various courses they attended in the amount of \$2,262.67.

Discussion:

Councilor Hardy, for disclosure purposes said her brother is a proud Gloucester firefighter, but is not a party to this matter; and she will be voting on this motion.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Verga, the City Council voted 8 in favor, 0 opposed to approve the Special Budgetary Transfer Request (#10-19) from Fire-Public Safety Program Unifund Account #101000.10.220.53060.0000.00.000.00.052 to Fire Dept. Salary/Wage-Overtime Unifund Account #101000.10.220.51315.000.00.000.00.051 to pay for 3 firefighters for various courses they attended in the amount of \$2,262.67.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend to the City Council that the special budgetary request for a supplemental appropriation 2010-SA-01 by the Department of Public Works to fund the costs associated with the Water Boil Emergency”. The funds will be appropriated from Retained Earnings, Unifund Account Number 610000.10.000.35900.0000.00.000.00.000 to the following Water Department appropriation line items:

The Council by unanimous consent waived the reading of the account numbers.

Sal/Wage OT	610000.10.450.51300.0000.00.000.00.051	\$ 92,099.00
Contractual Services	610000.10.450.52000.0000.00.000.00.052	\$711,750.00
Postage	610000.10.450.53450.0000.00.000.00.053	\$ 9,100.00
Supplies	610000.10.450.54000.0000.00.000.00.054	\$ 12,075.00
Chemicals	610000.10.450.54520.0000.00.000.00.054	\$ 3,500.00
DEP Assessment	610000.10.450.56820.0000.00.000.00.056	\$ 15,000.00
Equipment Replacement	610000.10.450.58700.0000.00.000.00.058	\$ <u>4,476.00</u>
		Total: <u>\$848,000.00</u>

Discussion:

Councilor Curcuru said this is to cover expenses incurred during the Boil Water Order Emergency and to move the monies into the appropriate accounts to cover department budgets.

Mr. Duggan said this was for expenditures in overtime, goods and services incurred at that time.

Councilor Theken said this is not being borrowed from the cherry sheet.

Mr. Duggan said this comes from existing funds. The costs from August 15 to September 30th are being paid for through existing Water Fund monies already in the fund.

Councilor McGeary said that \$848,000 leaves the Water Fund lean. What revisions are being made to handle this to build it back up.

Mr. Towne said that the free cash that was certified by the Department of Revenue Administration (DOR) for the Water Enterprise Fund as of June 30th was \$995,765.00 \$848,000.00 is going to come from that. However, there is additional fund balance that can be used for other purposes in case of an emergency that sits in the Water Fund with a total fund balance of \$2 million. It does cut it down, but that is why the City has a reserve fund balance for cases like this to have it for emergencies. This will build up over time by excess revenues over the budget and hopefully less expenditures than what they appropriated.

Councilor Ciolino if by good luck we do get reimbursed for some of these costs would the money be directed to this fund.

Mr. Towne said this will go into this fund from the insurance companies.

Councilor Ciolino asked what is the number the City is looking for.

Mr. Towne said they are looking for the entire amount of \$1.3 million, approximately. They actually put in a claim for lost water revenue as well.

Councilor Theken is this also including for the water we had to use through Rockport and Manchester.

Mr. Towne said it is included.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Verga, the City Council voted unanimously 8 in favor, 0 opposed that the special budgetary request for a supplemental appropriation 2010-SA-01 by the Department of Public Works to fund the costs associated with the Water Boil Emergency". The funds will be appropriated from Retained Earnings, Unifund Account Number 610000.10.000.35900.0000.00.000.00.000 to the following Water Department appropriation line items:

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DEP Assessment	610000.10.450.56820.0000.00.000.00.056	\$ 15,000.00
Equipment Replacement	610000.10.450.58700.0000.00.000.00.058	\$ <u>4,476.00</u>

Total: \$848,000.00

Councilor Curcuru explained motions brought up at this meeting were voted previously at the Special City Council Meeting that immediately followed the B&F meeting on 1/27/10.

Budget & Finance Committee – 01/28/10

No motions or action items to report out of Committee for Council action tonight.

Councilor Curcuru said they did have an internal motion for disclosure and transparency on the School Committee budget to the School Department. This was to make a formal request from the Budget and Finance Committee to the Office of the Mayor to be forwarded to the School Committee and does not require any action of the City Council.

Ordinances & Administration 01/11/10:

No motions or action items to report out of Committee for Council action tonight.

Councilor Theken noted that the Committee continued to look at the new regional school district matter which is continued awaiting a report from the Superintendent of Schools; they have matter to be put out for public hearing; and wanted to advertise for public hearing for the local option excise tax for hotels/motels room occupancy rate. The Councilors felt it was important to have a public hearing on this particular matter, and the Administration also agreed. They amended the possible 2% hike to 1%. The advertisement may show a total rate hike to 5%. The percentage rate can be amended to be increased at the public hearing but the motion remains the same.

City Clerk Lowe said there will be a public hearing on February 16th.

Ordinances & Administration 01/25/10

No motions or action items to report out of Committee for Council action tonight.

Councilor Theken noted the new regional school district is being carried over to March. Ms. Gilman, Chair and Ms. Teixeira, Secretary of the School Committee came before the Committee to explain their Steering Committee which is looking strictly at our own local vocational school program and how to enhance it perhaps over time. The matter is continued. The Ballot Measure regarding Civil Service of the Police Chief and this matter is also continued as well as several other matters which were all continued.

Planning & Development 01/13/10:

MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to waive individual notice by mail to the owners of property included in and the abutting the area of the City to be affected by said pending zoning amendments as in accordance with the Gloucester Zoning Ordinance Section 1.11.4(b) as it is the Councilors determination that the proposed amendments which include Section 2.2.1 (Use Regulations), Section 2.3 (Use Tables), Section 5.5 (Lowlands), Section 5.8(New Site Plan Review) and Section 5.18 (Marine Industrial) affect so many properties as to make such notice impracticable.

Discussion:

Councilor Ciolino said coming up is the 43D Priority Development Plan for the harbor and that in order to expedite the future planning and to cut down the expense incurred to notify everyone by mail. He repeated this for the benefit of the Council. This is to streamline the process especially when it comes to the waterfront.

Councilor Theken wanted to know if this was appropriate to City ordinances.

Councilor Hardy noted it will be advertised for March 2, 2010 for public hearing.

Ms. Lowe said that the section of the zoning ordinance was discussed with Greg Cademartori; that a question of a large number of households and businesses in different districts who would get this notice, if it is significant, the zoning ordinance allows for the waiver because it becomes impractical.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Theken, voted unanimously 8 in favor, 0 opposed to waive individual notice by mail to the owners of property included in and the abutting the area of the City to be affected by said pending zoning amendments as in accordance with the Gloucester Zoning Ordinance Section 1.11.4(b) as it is the Councilors determination that the proposed amendments which include Section 2.2.1 (Use Regulations), Section 2.3 (Use Tables), Section 5.5 (Lowlands), Section 5.8(New Site Plan Review) and Section 5.18 (Marine Industrial) affect so many properties as to make such notice impracticable.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant the Applicant's request for an extension for a Special Council Permit for a major project to Windover Properties, LLC according to section 5.7 Major Project (Multi-family dwelling involving 21 or more bedrooms, or 11 or more dwelling units) of the Gloucester Zoning Ordinance at 14 Cliff Avenue, Map 167, Lots 13 & 14; to an eighteen (18) month extension of the terms of the Special Permit to expire August 14, 2011 to allow for the completion of the project with the 19 terms of condition of the original Special Permit to still apply and to advertise for public hearing.

Councilor Ciolino noted that this is the 3rd time the Council will vote on this property. It is the will of the neighbors to go with the original project that was on the original footprint of the old nursing home. By giving the applicants the extension, the neighbors hope that there will be a coming together on the design of the project with the applicants.

Councilor Hardy noted the public hearing would be February 16th.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the City Council voted unanimously 8 in favor, 0 opposed to grant the Applicant's request for an extension for a Special Council Permit for a major project to Windover Properties, LLC according to section 5.7 Major Project (Multi-family dwelling involving 21 or more bedrooms, or 11 or more dwelling units) of the Gloucester Zoning Ordinance at 14 Cliff Avenue, Map 167, Lots 13 & 14; to an eighteen (18) month extension of the terms of the Special Permit to expire August 14, 2011 to allow for the completion of the project with the 19 terms of condition of the original Special Permit to still apply and to advertise for public hearing.

Planning & Development 01/27/10

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the City Council that the City of Gloucester accept ownership of and full responsibility for the approximately 1,167 linear foot long pressure sewer main and all existing laterals that lay within the streets known as High Popples and Links Road, which was constructed by the High Popples-Links Road Sewer Project LLC and as shown on plan entitled "as Built Sewer Plan" prepared by Gateway Consultants, Inc. and dated January 14, 2010 with the following conditions:

1. That the existing, current rules and regulations pertaining to the city's acceptance of private sewers be adhered to.
2. That Project LLC and the City of Gloucester by its appropriate administrative staff coordinate the execution and exchange of all documents deemed necessary by the City of Gloucester legal office to effectuate the transfer of ownership and control of the High Popples-Links Road Sewer Project LLC sewer main from High Popples-Links Road Sewer Project LLC to the City of Gloucester.

Discussion:

Councilor Ciolino declared that he lives on High Popples Road; that he did not participate on this project and intends to vote on the matter. A few weeks ago there were two sewer project acceptances in East Gloucester. The Engineering Department vetted the "As Built" plans. The DPW has done their due diligence and recommended the approval on this sewer project acceptance.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Theken, the City Council unanimously 8 voted in favor, 0 opposed that the City of Gloucester accept ownership of and full responsibility for the approximately 1,167 linear foot long pressure sewer main and all existing laterals that lay within the streets known as High Popples and Links Road, which was constructed by the High Popples-Links Road Sewer Project LLC and as shown on plan entitled "as Built Sewer Plan" prepared by Gateway Consultants, Inc. and dated January 14, 2010 with the following conditions:

- 1. That the existing, current rules and regulations pertaining to the city's acceptance of private sewers be adhered to.**
- 2. That Project LLC and the City of Gloucester by its appropriate administrative staff coordinate the execution and exchange of all documents deemed necessary by the City of Gloucester legal office to effectuate the transfer of ownership and control of the High Popples-Links Road Sewer Project LLC sewer main from High Popples-Links Road Sewer Project LLC to the City of Gloucester.**

MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the City Council the renumbering of the lighting ordinance to Chapter 5 – Buildings and Building Regulations, section 5-3.

Discussion:

Councilor Ciolino said years ago this was passed but put into the wrong section. This is to place it appropriately and correct the situation.

Councilor Hardy said so in essence we are amending by deleting the previous number of the old number and inserting a new ordinance number.

Councilor Ciolino said this was a clerical error and we're now correcting it..

MOTION: On motion by Councilor Ciolino, seconded by Councilor Theken, the City Council voted 8 in favor, 0 opposed that there be renumbering of the lighting ordinance to Chapter 5 – Buildings and Building Regulations, section 5-3.

Consent Agenda:

- **MAYOR'S REPORT** **ACTION**
- 1. Memo from Director of Public Works re: requesting approval of loan authorization in the amount of \$13.0 million to fund improvements to the City's George P. Riley Wastewater Treatment Plant (refer to B&F)
- 2. Memo from Director of Public Works re: requesting approval of loan authorization in the amount of \$7.0 million to fund the next phase of CSO Long Term Control Plan (refer to B&F)
- 3. Memo and Special Budgetary Request Transfer Request (#10-20) from Police Chief (refer to B&F)
- 4. Memo and Special Budgetary Request-Supplemental Appropriation from Principal Assessor (refer to B&F)
- 5. Memo from Fire Chief re: Acceptance of \$2,000 grant from the Mass. Dept. of Public Health and Human Services (refer to B&F)
- 6. Memo from Treasurer of Gloucester Committee for the Arts re: Acceptance of \$2,500 grant from National Endowment for the Humanities (refer to B&F)
- 7. Memo from Operations Manager-Public Properties re: permission to pay two invoices which have exceed the amount of the purchase order (refer to B&F)
- 8. Memo from Operations Manager-Public Properties re: Proposed changes to Beach and Stage Fort Park Regulations (refer to O&A)
- 9. Memo from General Counsel: Amendment to GCO Section 2-577 (refer to O&A)
- 10. **Management Reappointments:**
- Chief Administrative Officer James A. Duggan TTE 02/14/2011 (refer to O&A)
- Chief Financial Officer Jeffrey C. Towne TTE 02/14/2011 (refer to O&A)
- General Counsel Suzanne Egan TTE 02/14/2011 (refer to O&A)
- Com. Development Dir. Sarah Garcia TTE 02/14/2011 (refer to O&A)
- Personnel Director David J. Bain, Jr. TTE 02/14/2011 (refer to O&A)
- Purchasing Agent Donna M. Compton TTE 02/14/2011 (refer to O&A)
- Building Inspector William Sanborn TTE 02/14/2011 (refer to O&A)
- 11. **Appointments:**
- John McElhenny Open Space Committee TTE 02/14/2013 (refer to O&A)
- Dean Murray Open Space Committee TTE 02/14/2013 (refer to O&A)
- 12. Memo from Com. Development Director re: Affordable Housing Trust (Info Only)
- **INFORMATON ONLY**
- 1. STAR 2010 (Statewide Training and Resources) Exposition (Info Only)
- **APPROVAL OF MINUTES**
- 1. City Council Meeting 01/05/2010 (Approve/File)
- 2. Joint City Council and School Committee Workshop 01/19/2010 (Approve/File)
- 3. Special City Council Meeting 01/21/2010 (Approve/File)
- **APPLICATIONS/PETITIONS**
- 1. PP2010-001: Installation of 1-2" conduit and service wire for 4-6 Grapevine Road (refer P&D)
- **COMMUNICATIONS**

1. COM2010-004: Letter from IG re: Change Order "Gloucester Roadway" construction Project (refer B&F)
2. COM2010-005: Request from St. Peter's Fiesta Committee for Use of City Land (refer P&D)
- **ORDERS**
1. CC2010-003 (Mulcahey) Amend GCO Sec. 22-269 "Stop Intersections" re: Flanagan Square (refer T&C & O&A)
2. CC2010-004 (Mulcahey) Amend GCO sec. 22-270 "Parking Prohibited at all times" and Sec. 22-292 "Fire Lanes" re: Commercial Street (refer T&C & O&A)
3. CC2010-005 (McGeary) Amend GCO Sec. 22-287 re: one handicapped space in front of 12 Webster Street (refer T&C & O&A)
4. CC2010-006 (Hardy) Review Fee Structure under Sec. 5.7.3 of the Gloucester Zoning Ordinance (refer PB & P&D)
5. CC2010-007 (Tobey) Review of City Charter concerning proposed amendments or revisions (refer O&A)
6. CC2010-008 (Mulcahey) Amend GCO Sec. 22-287 re: one handicapped space across from 11 School Street (refer T&C & O&A)
7. CC2010-009 (Verga/Whynott) City Council to investigate the possibility and procedure to consolidate polling locations (refer O&A)

Items to be removed from or added to the Mayor's Consent Agenda:

Ms. Lowe reminded the Council there was an amendment to the Mayor's Report, an addendum of February 2, 2010 of the facilities report and a notice about the appointment of the new Veteran's Agent, Jeffrey Williams.

Councilor Verga wished to make a correction of the City Council minutes of January 5, 2010.

Councilor Hardy would like to pull under "Communications" Item #1, Letter from the IG, Change Order.

It was motioned, seconded and unanimous to approve the Consent Agenda.

Councilor Verga said on Page 6 of the first paragraph of the City Council minutes of January 5th he noted that it should be in the second line it read "...he was under the illusion that" It should be "**no** illusion". The "no" changes the whole meaning.

It was motioned, seconded and unanimous to approve the amended minutes of the January 5, 2010 City Council.

By unanimous consent the following items were referred out as follows:

- COM2010-004: Letter from IG re: Change Order "Gloucester Roadway" construction Item to be accompanied with the response from Suzanne Egan, General Counsel to accompany COM2010-004 and be referred to the Budget and Finance Committee.
- Enclosure 1 of the Mayor's Report Addendum dated February 2, 2010, announcing the appointment of Jeffrey Williams Veterans Agent he be placed on the next City Council agenda of February 16, 2010.
- Enclosure 2 of the Mayor's Report Addendum dated February 2, 2010, re: Facilities Management Report referred to the Planning and Development Committee.
- Communication from Legal Counsel re: Removal of the position of Chief of Police from Civil Service Opinion from the State HRD dated January 29, 2010 referred to the Ordinances and Administration Committee

Scheduled Public Hearings:***1. PH2010-003: SCP2009-013 re: Stacy Boulevard, Sec. 5.5.4 Lowland*****This Public Hearing opened.****Speaking in Favor:**

David Smith, Civil Engineer of Vine Associates, Newburyport, MA spoke to the Council. They had been under contract with the DCR since 2000 to inspect, permit and develop 4 seawall projects. Stacy Boulevard is the last of the four projects (documentation on file). He described the area to be rehabilitated as to its current construct. They inspected this wall over the years on several occasions. Its condition is fair to poor. Below the high tide it is in very poor condition and in places unstable. There are 3 locations that are below the hill of Stage Fort Park that have failed. The whole structure collapsed and eroded onto the beach. The City dumped stone on it and reinstalled railing and such to make it safe for the public. They met with DCR and City officials and looked at repair scenarios and reconstruction options. Factors were costs, durability, minimization of disturbance and historical significance. The footprint will remain the same. They will utilize new reinforced concrete and existing stones and supplemental stones, as well as new railings on top of the wall and improve the area with a better drainage system, lighting, trash receptacles, seating. Two stairs will be repaired, one will be reconstructed. There will be a continuous concrete walkway. A number of years ago this was the plan of the whole stretch of Stacy Boulevard. They had to reconstruct part of it on an emergency basis. The Fisherman's Wives Memorial was constructed in 2001. They could not rebuild the wall in that particular location they can't build the wall the same way. They looked at 3 options – 1 to rebuild the wall in the same footprint, remove the memorial and reinstall it after the work was done. The second was to drive steel sheeting into the wall and provide lateral support for the memorial. The third option was to leave the memorial alone and to build out from that structure. Soil borings showed very loose soil. When they went back through with the City and DCR it was decided to do a build out. The first two options were nixed. The build out would be comprised of 132 ft. section which would come out 8 ft. and at each end would come down to zero. In order to get approval for the build out, they scheduled a pre-application meeting and had all agencies there, walked the site. There were a few minor modifications to the drawings. They did a flared build out and a couple of other changes as a result; they received their permits and have an order of conditions. They are awaiting a DEP sign off and a sign off from Zoning.

Speaking in Opposition: None**Communications: None****Questions:**

Councilor Ciolino spoke of the build out at the Fisherman's Wives Memorial. The existing wall must be undermined, and he wanted to know how it will be secured.

Mr. Smith said the build out will be done first. At that point the existing concrete slab will be removed and then they'll put in flowable fill to seal up voids to prevent any further movement.

Councilor Ciolino said where the money is coming from the state. And are all side walks ADA approved.

Mr. Smith said all will be ADA approved.

Councilor Curcuru asked about the expected timetable to start and duration of work.

Mr. Smith said that they working on the other side of the Boulevard as well, and that they're still in design and permitting. It is hoped that the State wants the two projects to be combined and get the east side incorporated and get them bid as one project, and it could happen this fall.

Councilor Curcuru said the other side of the bridge is a safety hazard.

Mr. Smith said yes.

Councilor Curcuru asked about the funding source.

Mr. Smith said the engineering money is coming from the state. The funding hasn't been obtained yet.

Councilor Curcuru the staircases will they become ramps in the future.

Mr. Smith said the stairways are just being rebuilt and no ramps will be involved.

Councilor Mulcahey said the foundation under fisherman's wives memorial is deteriorating rapidly. It sounds serious.

Mr. Smith said he feels personally that it is serious and it must be done. It is a serious issue. Looking through the voids is scary. They want to get this done and approved with all regulatory agencies and get it built.

Councilor Mulcahey said when you rebuild in this area would you be looking to match up the entire area, like at the Fisherman's Memorial to look the same for the Fisherman's Wives Memorial.

Mr. Smith said no; it wouldn't look the same.

Councilor Theken said that you wanted to merge the two projects. This permit relates directly to the Fisherman's Wives side of the Boulevard.

Mr. Smith brought the blown up photograph closer to the Councilors for them to see and pointed out the areas to be rebuilt.

Councilor Theken disclosed she is a Vice President of the Fisherman's Wives Association and is allowed to vote on this matter.

Councilor McGeary asked about the relative advantages for concrete over crushed stone for the walkway.

Mr. Smith said the stone dust is not easily maintained and the paving with concrete is to also comply with ADA

Mr. Hale, DPW Director said stone dust is a perpetual maintenance issue. Concrete requires maintenance but lasts much, much longer. The idea is that you can enjoy the entire boulevard whether you are in a wheelchair, walking with a cane or a walker.

Councilor Hardy said at Standing Committee she was concerned about the coverage of insurance on the Fisherman's Wives Memorial and it being covered separately outside of the bond to be posted for the construction itself. She would like it to be its own bond if it is more advantageous.

Mr. Hale said there will be done in two stages. They are looking at the different ways to explore how to bond the insurance – to bond the construction and the protection of the memorials – whether to bond them together or separately.

This Public Hearing is closed.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant the Special Council Permit 2009-013: Stacy Boulevard Improvement Project, Map 216, Lot 140, zoning classification R-20 pursuant to Gloucester Zoning Ordinances Section 1.8.3, and Section 5.5.4 Lowlands requirement.

Discussion:

Councilor Ciolino said in order to get this project going this permit is needed and urged the Councilor to vote to it.

Councilor Whynott agrees the seawall needs to be fixed but believes areas are being given over to the project that shouldn't like paving the Lucy Brown Path, and it is unnecessary. He sees no reason to put concrete all down that path. It is a beautiful spot; it is pristine and should stay that way. As far as handicapped accessibility, you're not going to pave up on the slope. There is access at the top of Stage Fort Park, but you're not going to pave all those trails. City trucks drive on the concrete sidewalks when they empty trash barrels along the Boulevard and drive down the Lucy Brown Path. The concrete will crack and settle and still be a maintenance issue. He sees no reason to go beyond the pillars.

Councilor Ciolino rebutted as Chair of P&D and said that you will be hearing a lot of ADA required sidewalks. It is a policy of the City that any new construction should be ADA approved. We need to start doing this. It is very difficult to say that we'll put stone dust. It is hard for us to say that handicapped citizens shouldn't have the same opportunity to enjoy the vista as those who are not.

Councilor Verga said that he is in support of this permit. The language in the motion says it all. The work to be done is an improvement. The stairs are dangerous; there's rust on the railings. This is going to improve the whole area and make it much more secure for years to come and hopes the rest of the Council will support it as well.

Councilor Theken asked Councilor Ciolino to explain ADA.

Councilor Ciolino said it is the Americans with Disabilities Act, part of which are the codes that govern accessibility issues.

Councilor Theken said the O&A over the last 10 years has gone throughout the City to see that as much as possible can be made accessible; that the City had other parks and facilities that were handicapped accessible. There is a flat surface at the Lucy Brown Path. After a rainstorm it is inaccessible. All people should have access; and if we can, we should give it to them.

Councilor McGeary said while ascetically he agrees with Councilor Whynott, but ADA accessibility is more important. He wanted to be sure the concrete when laid be made to be done with a firmer bed and smooth as the current sidewalks have a great deal of rise and fall.

Mr. Hale said he's spoken to the Fisherman's Wives Association and in discussions as late as today. He has kept them informed of what is going to be done to stabilize the area and to secure it. He will sit down with them at the formation of the bid process to make sure they're comfortable with the protection of the statue. There are some existing voids under the statue around the seat chairs and will have to determine which kind of fill will be appropriate to secure it.

Councilor Hardy said she did attending the Planning and Development Committee meeting on this and was pleased to see the Shellfish Constable submitted a letter in favor of this stating that there are no shellfish beds that will be impacted in a negative manner as a result of this work (on file) which goes to meeting part of the criteria of this Special Council Permit, in the Zoning Ordinance Sec. 5.5.4.

Councilor Mulcahey said it is long overdue, and that it is important for the safety of the community. She likes the idea of the Lucy Brow Path being paved in concrete and will support it.

Councilor Curcuru will support it. As he is Ward Councilor where this work will take place, he has many constituents who want to know when this work will be done.

Councilor Whynott understands the importance of the project. If his vote was going to stop this work, he would give his vote [in favor]. He will vote no as a protest as he has a special affinity to the Path and does not wish to see it paved.

MOTION: On motion to amend the main motion by Councilor Hardy, seconded by Councilor Theken, to attach a condition to the main motion for a separate insurance bond to be purchased to cover the Fisherman's Wives Memorial of \$1 million.

Discussion:

Councilor Ciolino asked for Mr. Hale's opinion on the matter.

Mr. Hale stated he is not an attorney and doesn't know what this would do to the bid documents. They did anticipate something in the specifications that would require a contractor to protect it and be liable for any damage they might do to it. Whether it is a separate insurance policy or bond, he doesn't know what the ramifications would be. There intent is to have something in place. It is important to insure the safety of this memorial. He is not opposed to the amendment.

Councilor Hardy believed it behooved the City to be sure that the Fishermen's Wives Memorial is insured. If we have to give a little bit more money to ensure its safety, then we should. It is worth it.

Mr. Hale agreed that a contractor would not be interested in rebuilding the monument. They're going to want to take extra care to protect it. Their insurance companies will want to be sure of that as well.

Councilor Hardy stated that her proposed amendment to the main motion stands.

Mr. Hale, in response to Councilor Ciolino's concern said he didn't believe the amendment would be an issue as it is specific to the project. The only thing it might impact is the bidding, and he will check with General Counsel.

MOTION: On motion by Councilor Hardy seconded by Councilor Theken, the City Council voted unanimously 8 in favor, 0 opposed to approve the amendment to the main motion to attach a condition for a separate insurance bond to be purchased to cover the Fisherman's Wives Memorial in the amount of \$1 million to insure the Fisherman's Wives Memorial on Stacy Boulevard during construction.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Curcuru, the City Council voted by roll call vote 7 in favor, 1 opposed (Whynott) to grant the Special Council Permit 2009-013: Stacy Boulevard Improvement Project, Map 216, Lot 140, zoning classification R-20 pursuant to Gloucester Zoning Ordinances Section 1.8.3, and Section 5.5.4 Lowlands requirement with the following condition:

- 1. Insurance bond of \$1 million is to be purchased to insure the Fisherman's Wives Memorial on Stacy Boulevard during construction.**
- 2. PH2010-004: Amend GCO Sec. 22-229 "Parking Meter Control Devices"
re: Parking Meter Bags**

This Public Hearing opened.

Speaking in Favor:

William Sanborn, Building Inspector said the meter bags have been their office's responsibility for 8 years. This came to his office because it was easier for contractors while they were in the office getting their permits to also get their bags. The bags are a secondary business for them; there is a problem of getting the original canvas bags back. Realizing there was a problem, they felt the disposable meter bags were their solution. The bag would be \$5 and \$10 per day for the bag; the date issued is put in it with an expiration date. When it's done, it is disposed of. This will eliminate a difficult administrative issue.

Speaking in Opposition: None

Communications: None

Ms. Lowe noted that the proposed amendment language was received the morning of the City Council meeting and has a copy of the existing language available to them.

Questions:

Councilor McGeary asked who is responsible for removal of the bags when time is up; and if they run over the deadline, what is the provision for remedying that..

Mr. Sanborn said it is contractor who disposes of the bag and if they need more time, they come back and gets a new bag re-inscribed.

Councilor Mulcahey said that at O&A the discussion was that the bags were \$1 each, what the City pays.

Mr. Sanborn said they are bought by the box. To now there has been a \$10 deposit for the bag and a \$10 per day fee for the use of the bag.

Councilor Theken said the \$10 for the parking hasn't changed. If someone loses the bag they come to the building inspector and explain the loss; if they agree with it they will issue a new bag. If someone finds the bag in the street and uses it what happens.

Mr. Sanborn said they're not sure if they'll have the parking meter number on it. They are looking into whether to have names on the bag. There will be a date of expiration on the bag. If parking enforcement sees it and it's expired, then they will get a ticket.

Councilor Verga stated that the money is collected up front not after the fact which seems less convoluted, whereas before your department was scrambling after the fact.

Mr. Sanborn agreed and said now contractors will pay up front; the expiration date will be on the disposable bag; and once reached, the bag is no longer good. This program would go into effect 30 days after passage by the Council.

Councilor Ciolino clarified that the administration fee is included in the charge for the bag. When the matter was before the O&A Committee didn't they raise the price of the bag because the meters have doubled since the last time the ordinance was looked at.

Mr. Sanborn believed that originally when the proposal went to O&A the current ordinance said \$5. They charged \$10 for the original bags. O&A wanted to make sure it was correct in the ordinance. It is also reserving a parking space for the day for that person. Since meters are only two hours per vehicle, and this, more appropriately, covers the cost of the privilege.

This Public Hearing is closed.

MOTION: On motion by Councilor Curcuru, seconded by Councilor Mulcahey, the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council whether Sec. 22-229, Parking Meter Control Devices, of the Gloucester Code of Ordinances be amended to require the use of disposable meter bags in place of canvas bags currently and to advertise for public hearing with the following terms to be included in the amendment:

1. Bags are to be issued with expiration date inscribed.
2. A fee is to be charged of \$10.00 per day for the parking fee and a one time fee of \$5.00 will be charged for the disposable bag.

Councilor Theken offered the following amendment as General Counsel, as directed by the O&A Committee, provided proper language for the amendment to the ordinance as follows:

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino the City Council voted to amend Gloucester Code of Ordinance Article 1 Division 3 Parking Meters Sec. 22-229, Parking Control Device, by deleting the existing ordinance and adding new Sec. 22-229:

1. Any contractor working in the downtown area parking in a metered parking space while performing their work shall pay \$10.00 a day per metered space. A fee of \$10.00 shall be paid for each space used including but not limited to spaces or portions thereof used to locate equipment, such as dumpsters, jersey barriers, or scaffolding. Each space shall be reserved for the day by covering the meter with a bag issued by the building inspector's office.
2. Each bag shall cost \$5.00. One bag may be used for multiple days and each bag shall have the time period and an expiration date inscribed thereon.

Discussion:

Councilor Ciolino said this is long overdue. He hopes that parking enforcement is diligent.

Councilor Hardy said that part of the reason they are putting this together is so disposable bags are used. This doesn't appear in the amended ordinance.

Mr. Sanborn responded that General Counsel said it should not be so specific as not to say disposable. Therefore, if it was decided not to use disposable bags it would not require a change in the ordinance.

MOTION: On motion by Councilor Theken, seconded by Councilor Ciolino, the City Council voted unanimously 8 in favor, 0 opposed to amend Gloucester Code of Ordinance Article 1 Division 3 Parking Meters Sec. 22-229, Parking Control Device, by deleting the existing ordinance and adding new Sec. 22-229:

1. Any contractor working in the downtown area parking in a metered parking space while performing their work shall pay \$10.00 a day per metered space. A fee of \$10.00 shall be paid for each space used including but not limited to spaces or portions thereof used to locate equipment, such as dumpsters, jersey barriers, or scaffolding. Each space shall be reserved for the day by covering the meter with a bag issued by the building inspector's office.
2. Each bag shall cost \$5.00. One bag may be used for multiple days and each bag shall have the time period and an expiration date inscribed thereon.

Councilor's Requests Other Than To The Mayor:

Councilor Ciolino said goodnight to the Citizens of Gloucester and to Gus Foote. He wanted to announce P&D is having a site visit for the proposed Hampton Inn at 79-99 Essex Avenue at 8 a.m. on Saturday, February 6, 2010.

Councilor Theken reminded the Councilors that the Ordinance & Administration meeting on February 8, 2010 will begin at 6:00 p.m. not 7:00 p.m. She also spoke to the seniors with their prescription coverage. Prescription Advantage Plan allows for one change. For seniors who have no alternative, please see Councilor Theken who said this program doesn't look at assets just income. She spoke with Sen. Tarr about the issue. Health Safety Net is available to citizens of Massachusetts. If you go to any hospital HSN will cover the deductible. She went on to describe the coverage. She spoke of other outlets for prescriptions for seniors.

ADJOURNMENT:

MOTION: It was moved, seconded and voted UNANIMOUSLY to adjourn the City Council Meeting at 9:41 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of the Committees