

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, September 22, 2015 – 7:00 p.m.

Kyrouz Auditorium – City Hall

**-MINUTES-**

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

**Absent:**

**Also Present: Mayor Sefatia Theken; Linda T. Lowe; Kenny Costa; Jim Destino; Chip Payson**

**The meeting was called to order at 7:01 p.m. The Council President announced that this meeting is recorded by video and audio in accordance with state Open Meeting Law.**

**Flag Salute & Moment of Silence.**

**Oral Communications: None.**

**Presentations/Commendations: None.**

**New Appointments:**

**Zoning Board of Appeals**

**Marc Mahan**

**TTE 02/14/17**

**Jim Destino**, Chief Administrative Officer, said that in the last seven years many city boards, committees and commissions have had struggled to attract citizens to serve in as volunteers. He said that when Mayor Theken came into office in January she put out a call to the community for people to step forward as volunteers and received a number of inquiries from people expressing a desire to serve the city. He said the administration interviewed over 20 people in recent weeks.

As to Mr. Mahan's appointment, he said that he is someone the administration feels will be a responsible member of the Zoning Board of Appeals (ZBA). He pointed out that Mr. Mahan is a college graduate with some experience in construction and fire safety inspection. He explained that after Mr. Mahan's name was put forward to fill the position left vacant on the ZBA by the resignation of long-standing member, Virginia Bergmann, they received a call from James Movalli, ZBA Chairman, who explained it is customary that an already appointed alternate to the ZBA is typically moved up into a full time appointment to the Board and then a new alternate is appointed. After speaking with Mr. Mahan who agreed to serve as an alternate, it was agreed by the Administration that it would be appropriate to move Leonard Gyllenhaal, the ZBA's current alternate forward as a full member and that Mr. Mahan would serve as an alternate. **Mr. Destino** then submitted a memorandum from Mayor Theken to the Council asking that Leonard Gyllenhaal be appointed a full member of the ZBA (placed on file).

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Marc Mahan to the Zoning Board of Appeals, TTE 02/14/17.

**DISCUSSION:**

**Councilor Whynott** amended the motion to appoint Mr. Mahan as an alternate member of the ZBA, seconded by **Councilor LeBlanc**. By a unanimous vote of the Council the motion was amended.

At the request of the Council President **Mr. Mahan** said that he stepped forward as a volunteer to the ZBA to fully integrate in his new community. He noted that he was starting a family in Gloucester. He added the ZBA is a great volunteer opportunity which meshed well with his experience because, he said, he understood community development and planning. He noted he had worked for a non-profit for several years in a teaching capacity. He said that recently he had worked as a mason and as a fire safety installer and inspector for commercial and residential buildings which requires knowledge of federal regulations and which showed he has the aptitude for the legal side of matters that will come before the ZBA. He noted he also has recently been awarded a Master's degree in political science which he said demonstrates his aptitude for legal issues. He reiterated his desire to serve the city and asked that his appointment as ZBA alternate moves forward.

**Councilor Verga** said that among the non-elected boards, committees and commissions, the ZBA and the Planning Board are very high profile. He cautioned that memorizing the Zoning Ordinance would not be enough. He commented that within the city's 28 square miles there are distinct neighborhoods with their own culture. Being an alternate, he said, would give Mr. Mahan an opportunity to learn a great deal about the city. He said being on the Zoning Board isn't just saying "yes or no," but is about residents trying to modify their homes which can be a sensitive process. He urged that Mr. Mahan learn to work with the applicants and be sensitive to their needs. He expressed his appreciation that the Administration was slotting Mr. Mahan for the alternate position and that a young person is stepping forward willing to serve the city in which he lives.

**Councilor Lundberg** said he echoed Councilor Verga's sentiment. He added that while the Council appreciated the fact Mr. Mahan wants to serve the city, the ZBA and Planning Board are crucial to the workings of the city. The Council, he said, is looking for someone who knows the city not someone who wants to be a Board member to learn about the city. He said as an alternate Mr. Mahan's task is to learn about the city and his ability to do that will weigh heavily if he is someday put forward as a full member of the Board. It isn't just so Mr. Mahan learns about the city, but that the city benefits from his knowledge of it, he said.

**Councilor Cox** expressed her agreement with Councilors Verga's and Lundberg's sentiments and added that she was pleased Mr. Mahan is being redirected to an alternate position on the ZBA. She noted that, in her opinion, Mr. Mahan's work experience wasn't substantial enough to qualify him to serve fully on the Board, which, she added, did cause her some concern. She observed that Mr. Mahan's "Linked In" profile said, "political operative." She asked if Mr. Mahan planned on furthering his education in the trades or to continue with political science. **Mr. Mahan** said he was looking towards attending law school, which coincided with his desire to focus on community development rather than politics, and that leads him to the ZBA.

**Councilor Stewart** said Mr. Mahan is eminently qualified. He said that having served on the ZBA for 22 years political skills will be very necessary and highlighted that there will be neighborhood issues that come before the Board and that there will be a need to be a sensitive negotiator to intercede and have a good outcome for all concerned.

**Councilor Whynott** said he appreciated Mr. Mahan's enthusiasm and youthful perspective.

**Councilor Ciolino** noted Mr. Movalli, Chair of the ZBA, was a school teacher when he was appointed, and has served on the Board for many years. He cautioned Mr. Mahan that he faced a steep learning curve. The city boards, committees and commissions, he said, need to be "consumer friendly" for residents and for developers in order to help guide the city forward. He said simplifying and streamlining city permitting processes is important as well and that the ZBA plays a critical role and Mr. Mahan will have a hand in that.

**Councilor Fonvielle** said he appreciated the youthful aspect of Mr. Mahan's ability and in putting himself forward to become involved in public affairs. He added that he hoped Mr. Mahan had like-minded acquaintances that would also want to step forward to serve the city in a volunteer capacity and that they would be welcome. He said he appreciated Councilor Ciolino's comments and agreed that the city's permitting process could use improvement.

**Councilor LeBlanc** offered that as Mr. Mahan's Ward Councilor he would help him to become better acquainted with the city to act as his guide and to call upon him at any time.

**Council President McGeary** said he applauded Mr. Mahan for stepping forward to serve as a volunteer. He said the ZBA will have many decisions that affect the future of the city, and that he saw the future is very important to Mr. Mahan. He also lauded the Administration for putting forward a youthful appointee and reaching out to younger people in the community.

**MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed, to recommend that the City Council appoint Marc Mahan to the Zoning Board of Appeals (Alternate), TTE 02/14/17.**

**Zoning Board of Appeals**

**Leonard Gyllenhaal**

**TTE 02/14/17**

At the request of the Council President, the Council suspended its Rules of Procedure by unanimous consent in order to appoint Leonard Gyllenhaal to the Zoning Board of Appeals as follows:

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the City Council voted 9 in favor, 0 opposed to appoint Leonard Gyllenhaal to the Zoning Board of Appeals, TTE 2/14/17.**

**Consent Agenda:**

- **CONFIRMATION OF REAPPOINTMENTS**  
Economic Development Industrial Corporation (EDIC) Rebecca Bernie, R. Billings Bramhall TTE 07/01/18
- **MAYOR'S REPORT**
- 1. Memorandum from Principal Assessor re: Tax Classification (Refer B&F)
- 2. New Appointment: Zoning Board of Appeals TTE 02/14/17 Jane Remsen (Refer O&A)
  - **COMMUNICATIONS/INVITATIONS**
  - **INFORMATION ONLY**
  - **APPLICATIONS/PETITIONS**
  - **COUNCILORS ORDERS**
- 1. CC2015-035 (Fonvielle & McGeary) Nomination of Abdullah A. Khambaty to be the first recipient of the "Ab Khambaty Extraordinary Performance/Service Award" (FCV 10/13/15)
  - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
- 1. City Council Meeting: September 8, 2015 (Approve/File)
- 2. Standing Committee Meetings: B&F 09/17/15 (under separate cover), O&A 09/14/15, P&D 09/16/15 (Approve/File)

**Items to be added/deleted from the Consent Agenda:**

**Councilor Cox** asked to remove Item No. 1 Memorandum from Principal Assessor re: Tax Classification under the Mayor's Report. She noted that the Petition for road repairs in accordance with Article IV "Repair of Private Ways" Sec. 21-80 et seq re: Starknaught Heights, Starknaught Rd., Oxford Rd., and Joseph's Way was continued to the October 8 Budget & Finance Committee meeting and the Tax Classification matter will be carried over to October 22 B&F Committee meeting, and therefore, the October 8 meeting of the Budget and Finance Committee would be cancelled.

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

**Committee Reports:**

**Budget & Finance: September 17, 2015**

*Budget and Finance Committee Unanimous Consent Agenda "A"*

**Councilor Cox** explained that Consent Agenda "A" covers invoices incurred by the Department of Public Works in FY15 to be paid with FY16 funds.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, to approve the Budget & Finance Unanimous Consent Agenda "A" as relates to Department of Public Works payment of invoices from FY15 with FY16 Funds as follows:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of prior year invoices for out-of-town police detail services rendered in FY15 to be paid with FY16 funds as follows from the current 2016 DPW Water Enterprise Fund Contract Services Account, #610000.10.450.52000.0000.00.000.00.052 for a total of \$984.00 as follows:**

Town of Ipswich Police Detail	Invoice #4416	Dated 6/19/2015	\$384.00
Town of Ipswich Police Detail	Invoice #4417	Dated 6/19/2015	<u>\$600.00</u>
	<b>Total:</b>		<b>\$984.00</b>

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of prior year invoices for services rendered by Waste Management of Rochester NH Hauling in FY15 to be paid with FY16 funds as follows from the current 2016 DPW Sewer Enterprise Fund Contract Services Account, #600000.10.440.52000.0000.00.000.00.052 for a total of \$2,448.16.00 follows:**

Waste Management	Invoice #1626350-0290-8	Dated 7/1/2015	\$ 288.45
Waste Management	Invoice #2040761-2912-8	Dated 7/1/2015	<u>\$2,199.71</u>
	<b>Total:</b>		<b>\$2,488.16</b>

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of a prior year invoice for services rendered by Perma-Line Corp. of New England in FY15 to be paid with FY16 funds as follows from the current 2016 DPW Public Services Account, Street Signs and Materials #101000.10.470.54890.0000.00.000.00.054 for a total of \$325.90 follows:**

Perma-line	Invoice #1511	Date 6/30/2015	<u>\$325.90</u>
		<i>Total</i>	\$325.90

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of a prior year invoices services rendered by National Grid in FY15 to be paid with FY16 funds as follows from the current 2016 DPW Facilities-Electric Power-Non-Street Lights Account #101000.10.472.52110.0000.00.000.00.052 for a total of \$12,480.65 follows:**

Invoice Account #64638	Rose Baker Senior Center	6/8/15-7/6/15	\$2,050.42
Invoice Account #13684	DPW	6/5/15-7/6/15	\$1,696.13
Invoice Account #75938-46002	10 Concord St. Temp.	6/5/15-7/6/15	\$1,771.10
Invoice Account #61890-99005	Beeman Elem. School	6/4/15-7/7/15	\$ 118.71
Invoice Account #1368-92012	Bayview Fire Station	6/5/15-7/7/15	\$ 228.69
Invoice Account #90899-06006	Beeman Modular	6/5/15-7/7/15	\$ 451.99
Invoice Account #38585-25008	DPW	6/4/15-7/7/15	\$ 547.40
Invoice Account #51056-28005	DPW	6/4/15-7/7/15	\$ 891.05
Invoice Account #26109-68004	Gardner Terr. Pole	6/4/15-7/7/15	\$1,374.50
Invoice Account #88498-38006	Wilson Field	6/5/15-7/6/15	\$ 796.85
Invoice Account #13489-40000	DPW 3 Pond Road	6/3/15-7/3/15	\$2,018.21
Invoice Account #88469-95004	DPW 35 Concord Street	6/5/15-7/6/15	\$ 165.46
Invoice Account #26114-78027	DPW	6/5/15-7/6/15	\$ 77.86
Invoice Account #23934-99004	Concord St. Pump	6/4/15-7/6/15	\$ 17.18
Invoice Account #88500-50027	99 Thatcher Pole	6/8/15-7/6/15	\$ 22.15
Invoice Account #88500-48009	232 Atlantic St. Pole	6/5/15-7/6/15	\$ 24.52
Invoice Account #26140-68005	City Hall	6/5/15-7/6/15	\$ 10.00
Invoice Account #14285-18004	Gloucester Landfill	6/11/15-7/13/15	<u>\$ 218.43</u>
		<i>Total:</i>	<u>\$12,480.65</u>

\* \* \* *END B&F UNANIMOUS CONSENT AGENDA "A"* \* \* \*

*Budget and Finance Committee Unanimous Consent Agenda "B"*

*Memorandum from Gloucester Public Schools Director of Finance & Operations re: City Council approval to pay invoices from FY15 with FY16 Funds*

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, to approve the Budget & Finance Unanimous Consent Agenda "B" as relates to School Department payment of invoices from FY15 with FY16 Funds as follows:**

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of a prior year invoices services rendered by Bimbo Foods for the Gloucester Schools Food Service in FY15 to be paid with FY16 funds as follows from the current 2016 School Food Services Accounts for a total of \$614.05 as follows:**

Invoice Account 03183922696	3/9/2015	\$ 81.30
Invoice Account 03183923150	3/30/2015	\$ 8.16
Invoice Account 03183922840	3/16/2015	\$ 62.25
Invoice Account 03183923302	4/6/2015	\$ 60.00

Invoice Account 03893923466	4/13/2015	\$ 59.25
Invoice Account 03183923763	4/27/2015	\$ 50.84
Invoice Account 03183923929	5/4/2015	\$125.82
Invoice Account 03183924544	6/1/2015	\$ 19.80
Invoice Account 03183924550	6/1/2015	\$108.85
Invoice Account 03183924884	6/15/2015	\$ 16.78
Invoice Account 03183924956	6/18/2015	<u>\$ 21.00</u>
	<i>Total</i>	<b>\$614.05</b>

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of a prior year for services rendered by Reliable Office Supplies, Invoice number FNW45303 dated 7/25/2015 for \$277.72 in FY15 to be paid with funds from the FY2016 School Department General Fund Operating Budget.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of a prior year for services rendered by Harnum Industries, Invoice number 75447 dated 7/15/2015 for \$8,332.00 in FY15 to be paid with funds from the FY2016 School Department General Fund Operating Budget.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment unpaid tuition reimbursement for School Department employee, Joanne Miano dated July 16, 2015 for \$975.00 in FY15 to be paid with funds from the FY2016 School Department General Fund Operating Budget.

**MOTION:** On motion by Councilor Cox, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of retroactive United States Marine Corps increase effective 1/1/2015 for ROTC Instructor Richard Muth with funds from the FY2016 School Department General Fund Operating Budget for a total of \$1,328.50.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of retroactive United States Marine Corps increase effective 1/1/2015 for ROTC Instructor Carcel Dubose with funds from the FY2016 School Department General Fund Operating Budget for a total of \$1,268.86.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of an unpaid Lane (Additional Degree) increase effective 5/5/2015 during FY15 per Gloucester Teacher's Association Contract for employee Hugo Smith for \$1,021.80 with funds from the FY2016 School Department General Fund Operating Budget for a total of \$1,021.80.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of an unpaid Lane (Additional Degree) increase effective 5/11/2015 during FY15 per Gloucester Teacher's Association Contract for employee Joanne Horne for \$534.63 with funds from the FY2016 School Department General Fund Operating Budget for a total of \$534.63.

**MOTION:** On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, in accordance with MGL c. 44, §64 approve payment of retroactive salary correction for entire school year of FY14 and FY15 for employee Joanne Horne to be paid with funds from the FY2016 School Department General Fund Operating Budget for a total of \$2,178.00.

**\*\*\* END B&F UNANIMOUS CONSENT AGENDA "B" \*\*\***

1. *Memorandum from Police Chief re: City Council approval to apply for a FY16 State 911 EMD & Training Grant*

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted 3 in favor, 0 opposed, to permit the Gloucester Police Department to pursue a State Grant opportunity from the Massachusetts Executive Office of Public Safety and Security, a FY16 State 911 Department Training Grant and Emergency Medical Dispatch/Regulatory Compliance Grant for a total of \$154,032.55

**DISCUSSION:**

**Councilor Cox** said that a state grant to fund Emergency Medical Dispatch and Regulatory Compliance Training for the Police Department. The department applies for the grant annually.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, to permit the Gloucester Police Department to pursue a State Grant opportunity from the Massachusetts Executive Office of Public Safety and Security, a FY16 State 911 Department Training Grant and Emergency Medical Dispatch/Regulatory Compliance Grant for a total of \$154,032.55.**

**2. *Special Budgetary Transfer Request (2016-SBT-2) from the Community Development Department***

COMMITTEE RECOMMENDATION: On a motion by Councilor Fonvielle, seconded by Councilor McGeary, the Budget & Finance Committee voted in favor, opposed, to recommend that the City Council approve Special Budgetary Transfer 2016-SBT-2 in the amount of \$900 from Account 101000.10.181.57000.0000.00.000.00.057, Community Development-Other Charges & Expenses to Account 101000.10.181.51200.0000.00.000.00.051, Community Development-Salary/Wage Temporary Position in order to cover a temporary clerical staff position in the Community Development Department.

**Councilor Cox** explained that as stated in the motion, this transfer is to fund a temporary clerical staff position in the Community Development Department.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, to approve Special Budgetary Transfer 2016-SBT-2 in the amount of \$900 from Account 101000.10.181.57000.0000.00.000.00.057, Community Development-Other Charges & Expenses to Account 101000.10.181.51200.0000.00.000.00.051, Community Development-Salary/Wage Temporary Position in order to cover a temporary clerical staff position in the Community Development Department.**

**Ordinances & Administration: September 14, 2015**

**1. *Withdraw at the Request of the Administration the request for a proposed ordinance to create the Stage Fort Dog Park Commission***

MOTION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administrative Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the Administration to withdraw the request for a proposed Ordinance for the creation of the Stage Fort Dog Park Commission without prejudice.

**DISCUSSION:**

**Councilor Whynott** said that this was a good idea that at the request of the Friends of the Gloucester Dog Park to come under the city's umbrella for liability insurance, but that there were other related issues of maintenance and operation of the dog park that were unable to be resolved.

At the request of the **Council President, Mr. Destino** explained that: the Friends of the Gloucester Dog Park (Friends) asked to have the liability insurance for the dog park taken over by the city. He cited the vote the Council took to create the dog park that the Friends were supposed to take care of the maintenance and operation of the dog park. The Administration felt that if the city was taking on the dog park on as a liability it should be a city board appointed by the Mayor and confirmed by the City Council. The Friends had agreed to that and agreed to handle the continued operation and maintenance of the dog park. Just before the matter was to be taken up by the Ordinances & Administration Committee, the Friends changed their minds expressing they didn't want not to continue their agreement to maintain and operate the dog park.

Additionally, **Mr. Destino** said, other issues surfaced -- out-of-town residents who use the dog park between May and September have to pay the \$15 daily rate to park in the Stage Fort Park parking lot. The Administration is seeking a way to ameliorate that situation for residents of Essex, Rockport, Ipswich and Manchester who use the dog park especially for those who are frequent users. The biggest problem was who was going to take over the maintenance of the dog park, he said. The DPW Director has expressed that his staff and budget is stretched very thin and that this would have been an additional burden on his department. **Mr. Destino** said there is no money in the city's budget to even outsource the dog park's maintenance. Several solutions were put forward such as reserving 10 parking spaces behind the former schoolhouse on the Stage Fort Park property for use by dog park patrons and charging for the use. In turn, those funds could be used to help maintain and operate the dog park. He said that the Administration is looking into charging a separate fee for out-of-town dog park users, which is still to be resolved. It was suggested that there will be a sticker for frequent dog park users which can be purchased for a flat fee of \$100. The big problem is the maintenance of the dog park which is a work in progress. Because this is taking so much time, the Administration wanted to pull the matter back and seek further solutions to the issues at hand.

**Council President McGeary** said he understood that the maintenance and operation of the dog park is run by volunteers and is supported by funds raised by the Friends of the Gloucester Dog Park. **Mr. Destino** confirmed that the Friends raise funds to hire a landscaper to do weeding and mowing and said that the Friends now have expressed they believe they don't have the ability to handle the on-going responsibility of the dog park's maintenance and operation long term.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Ciolino, the City Council voted 9 in favor, 0 opposed, to recommend that the City Council permit the Administration to withdraw the request for a proposed Ordinance for the creation of the Stage Fort Dog Park Commission without prejudice.**

## **2. Amend the Acts of 1956 Pursuant to the Fisheries Commission**

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council approve and forward the proposed amendments to the Acts of 1956 and subsequent Acts relating to the Gloucester Fisheries Commission to the City of Gloucester State Legislative Representatives as follows:

New: Section 1. There is hereby created a body politic and corporate to be known as the Gloucester Fisheries Commission which shall be deemed to be a public instrumentality for the purposes of this act and shall have an official seal as determined by the membership of the commission.

New: Section 2. Said commission shall be set up and sponsored by the City of Gloucester to investigate, advocate and recommend measures for the promotion, preservation and protection of the Gloucester Fishing Industry. Said commission shall also participate in the promotion and marketing of all City of Gloucester seafood.

New: Section 3. Members of the commission shall be appointed by the mayor with approval of the city council. Said commission shall consist of nine (9) members, one of whom shall be the Mayor or his or her designee, one of whom shall be a current city councilor, seven of whom shall be engaged either directly or indirectly in the business of commercial fishing to the extent possible otherwise additional at-large members may be appointed. The commission may designate alternate positions upon recommendation by the commission and approval by the mayor. A Chair and Vice Chair shall be selected by and from among the nine (9) members of the commission annually.

New: Section 3A. The Mayor may appoint an Executive Director who shall receive such compensation as may be determined by the Mayor with the approval of the City Council.

### **DISCUSSION:**

**Councilor Whynott** explained this is a board that had been dormant for some time and that these amendments were intended to revitalize the Fisheries Commission.

**Councilor Verga** said that the Fisheries Commission was dormant until about three years ago when the Council reconstituted the Commission independently of the Acts of 1956 and subsequent amendments to that Act. Realizing

there was a disconnect, and that when Councilor Theken became the interim mayor in January the Commission lost a member so with that and the fact that the Commission had trouble maintaining a quorum it became the impetus to seek amendments to the Acts in order to update them with changes that made sense for the city's current situation. Noting that the last amendments to the Acts of 1956 was in 1985, he said that there were layers of changes that just didn't make sense for the city's current situation. Given the fact that it is difficult to find persons associated with shoreside businesses in sufficient numbers from which to draw Commission members, he said, these new changes to the Acts will aid in appointing new members for the Commission and broadening the pool of eligible members of the community. He specifically cited the wording in the new proposed Section 3, "...to the extent possible..." The Fisheries Commission approved these changes, he reported, and it also made an official vote to ask for another member to be appointed, he added.

**Council President McGeary** said that this will go to the city's state legislative delegation to put forward the city's request for amendment to the Acts of 1956.

**Councilor Ciolino** inquired of the Administration if it was their intent to fund the position of the Fisheries Commission Executive Director as a part-time or full time and when would the hiring process start.

**Councilor Verga** pointed out that what is before the Council is to amend the Acts of 1956 and subsequent Acts. It is independent of the position of the Executive Director and the position's revised job description. He recounted that some months before two related matters had come to the Council -- the revision of the Acts of 1956 and that of revising the job description of the Executive Director of the Fisheries Commission, a position unfilled for the last 10 to 15 years. He suggested that the job description revision and filling of the position is on hold for funding. That was placed on hold pending the revision of the Acts in order that it be treated independently whether the Commission has an Executive Director or not. While the amendments to the Acts talks about the position of Executive Director of the Fisheries Commission, the Commission runs without an Executive Director regardless.

**Councilor Ciolino** said it was his understanding that it was a goal to hire an Executive Director and reiterated his request for funding information from the Administration even though it wasn't the direct matter before the Council. **Mr. Destino** restated that it is the Mayor's wish to fill the position, but it is premature to talk about the position until the state approval of a Home Rule Petition comes forward.

**Council President McGeary** asked if the state approval was necessary before filling the position of Executive Director. **Mr. Destino** said it wasn't but that it is the Mayor's desire to have the Acts amended first.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Verga, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to approve and forward the proposed amendments to the Acts of 1956 and subsequent Acts relating to the Gloucester Fisheries Commission to the City of Gloucester State Legislative Representatives as follows:**

**New: Section 1. There is hereby created a body politic and corporate to be known as the Gloucester Fisheries Commission which shall be deemed to be a public instrumentality for the purposes of this act and shall have an official seal as determined by the membership of the commission.**

**New: Section 2. Said commission shall be set up and sponsored by the City of Gloucester to investigate, advocate and recommend measures for the promotion, preservation and protection of the Gloucester Fishing Industry. Said commission shall also participate in the promotion and marketing of all City of Gloucester seafood.**

**New: Section 3. Members of the commission shall be appointed by the mayor with approval of the city council. Said commission shall consist of nine (9) members, one of whom shall be the Mayor or his or her designee, one of whom shall be a current city councilor, seven of whom shall be engaged either directly or indirectly in the business of commercial fishing to the extent possible otherwise additional at-large members may be appointed. The commission may designate alternate positions upon recommendation by the commission and approval by the mayor. A Chair and Vice Chair shall be selected by and from among the nine (9) members of the commission annually.**

**New: Section 3A. The Mayor may appoint an Executive Director who shall receive such compensation as may be determined by the Mayor with the approval of the City Council.**

**Planning & Development: September 16, 2015**

**Councilor Verga** reported that there were no matters from the Sept. 16 meeting for action by the Council at this time.

**Scheduled Public Hearings:**

1. **PH2015-043: Amend GCO Sec. 22-279 “Thirty minute parking” re: Atlantic Road (TBC 10/13/15)**

**This public hearing is opened at 7:39 p.m. and continued to October 13, 2015.**

2. **PH2015-047: Petition for road repairs in accordance with Article IV “Repair of Private Ways” Sec. 21-80 et seq re: Starknaught Heights**
3. **PH2015-048: Petition for road repairs in accordance with Article IV “Repair of Private Ways” Sec. 21-80 et seq re: Starknaught Road**
4. **PH2015-049: Petition for road repairs in accordance with Article IV “Repair of Private Ways” Sec. 21-80 et seq re: Oxford Road**
5. **PH2015-050: Petition for road repairs in accordance with Article IV “Repair of Private Ways” Sec. 21-80 et seq re: Joseph’s Way**

**These public hearings are opened at 7:40 p.m. and continued to October 13, 2015.**

6. **PH2015-051: SCP2015-004: Maplewood Avenue #120 (Maplewood Avenue School) Map 39, Lot 4, GZO Sec. 2.3.1(8) conversion to or new multi-apartment dwelling, seven or more dwelling units; Sec. 5.7.1 Major Project; Sec. 1.10.1(a)(1) increase in building height over 35 feet; Sec. 1.10.1(a)(3)**

**This public hearing is opened and continued to October 13, 2015 at the request of the Applicant.**

7. **PH2015-044: SCP2015-006: Pond Road #5, Map 264, Lot #39, GZO Sec. 2.3.5(1) for the use of a Junk Yard in the GI District (Cont’d from 09/08/15)**
8. **PH2015-045: SCP2015-007: Pond Road #19, Map 265, Lot 36, GZO Sec. 2.3.5(1) for the use of a Junk Yard in the GI District (Cont’d from 09/08/15)**

**These public hearings are opened at 7:40 p.m. and continued to October 13, 2015.**

**Linda T. Lowe**, City Clerk noted that these public hearings were continued to the specific date through a written request by the applicant’s attorney received by her office and placed on file.

9. **PH2015-052: Amend GCO Chapter 22, Sec. 22-230 “Downtown parking permits”**

**This public hearing is opened at 7:42 p.m.**

**Those speaking in favor: None.**

**Those speaking on opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 7:42 p.m.**

**COMMITTEE RECOMMENDATION:** On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-230 “Downtown parking Permits” by DELETING: “The fee for downtown permit parking for all ten-hour meters, shall be per person, for those having a valid business in the city is as follows:

- (1) \$50.00 per month; or
- (2) \$600.00 annually.

**AND ADDING**

“The fee for downtown permit parking for all ten-hour meters and for municipal parking lots, where 10-hour parking is permitted, shall be per person, for those having a valid business in the city as follows:

- (1) \$50.00 per month; or

(2) \$600.00 annually.”

**DISCUSSION:**

**Councilor McGeary** said that when the city switched to kiosks, the existing ordinance only mentioned meters. He said the city sells parking permits that are good at all 10-hour parking meters. He pointed out there are now two municipal parking lots with kiosks where 10-hour parking is allowed, and this amendment extends the parking permits to be used in those municipal lots.

**Councilor Cox** said that with adding “kiosk” which is really just another type of parking meter, she asked what parking lots are being added to the ordinance as 10-hour parking lots. **Council President McGeary** said it would be any municipal lots where 10-hour parking is permitted. He noted there had been a question on whether 65 Rogers Street (I4-C2) was included as an official municipal parking lot. **Ms. Lowe** pointed out that when City Council approved 65 Rogers Street (I4-C2) as a parking lot several years ago that section of the Code of Ordinances that contains the list of municipal metered parking lots was amended to include 65 Rogers Street which is a 10-hour lot. **Councilor Cox** said that in addition to the changes to the ordinance before the Council, she would offer an amendment to remove the line “...for those having a valid business in the city...” pointing out that since anyone can buy a monthly parking pass this limiting phrase is unnecessary. She asked if there is a requirement of potential purchasers of the monthly parking permits to show that they work for a downtown business.

**Councilor Cox** suggested the city’s listing of 10-hour parking lots be amended to include the 65 Rogers Street parking lot. She reiterated she wished to put forward an amendment to the main motion to strike the words “...for those having a valid business in the city...” which was seconded by **Councilor Stewart**.

**Councilor Ciolino** said the idea around the parking permit was for downtown businesses, that the business would buy a monthly or annual parking permit and that it was not associated with one particular vehicle but could be circulated among employees of a particular business as needed. When downtown businesses started developing the apartments above storefronts the parking permit was extended to those residents of the downtown as well. He suggested that the proposed amendment made sense.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Stewart, the City Council voted 9 in favor, 0 opposed, to amend the main motion by additionally deleting the statement, “...for those having a valid business in the city...”**

**Councilor Fonvielle** said that a discount for a yearly pass would be appropriate rather than for a monthly pass. He urged the Council amend the ordinance an to either increase monthly parking permit fee or decrease the yearly parking permit fee to encourage people to use this service.

**Councilor Verga** reminded the Council that the parking lot at 65 Rogers Street has a sunset clause of several more years which is renewed by the Council each year. He pointed out that the city spends more on the bond debt service for that property than the city takes in for meter revenue at that location which wasn’t the original purpose for the purchase of that lot.

**Councilor Fonvielle** then moved to amend the main motion that the monthly parking permit fee be raised to \$60 per month, seconded by **Councilor Stewart**.

Responding to questions by **Councilor Whynott, Mr. Dunn** said his department has only sold parking permits on a monthly basis and have sold none of the yearly parking permits. He added that if someone only uses the permit for two out of four weeks, it is at the risk of the purchaser.

**Councilor Cox** said she wouldn’t support raising the monthly parking permit fee but would support lowering the cost of the annual parking permit fee. **Councilor LeBlanc** expressed his agreement with Councilor Cox.

**Councilor Ciolino** said that increasing the fee is a hardship on the downtown employees who are paid minimum wage. He said that he will support the motion to lower an annual fee.

**Council President McGeary** said that he would not support the parking fee increase. It is already half price which is a significant savings.

**Councilor Fonvielle** then amended his amendment to remove any increase in the monthly fee and lower the annual parking permit fee to \$550 per year, seconded by **Councilor Stewart**. On a vote of 9 in favor, 0 opposed, the City Council amended the main motion to lower the annual parking permit fee to \$550.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Cox, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO Sec. 22-230 “Downtown parking Permits” by**

**DELETING: “The fee for downtown permit parking for all ten-hour meters, shall be per person for those having a valid business in the city, is as follows:**

- (1) \$50.00 per month; or**
- (2) \$600.00 annually.**

**AND ADDING**

**“The fee for downtown permit parking for all ten-hour meters and for municipal parking lots, where 10-hour parking is permitted, shall be per person, as follows:**

- (1) \$50.00 per month; or**
- (2) \$550.00 annually.”**

**10: PH2015-053: Amend GCO Chapter 22, Sec. 22-270 “Parking prohibited at all times” and Sec. 22-291 “Tow-away zones” re: Herrick Court**

**This public hearing is opened at 7:56 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 7:56**

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council AMEND GCO Section 22-270 “Parking prohibited at all times” by DELETING Herrick Court (Friend Street side), for a distance of fifteen feet from the top of the stairs in a northerly direction.”

**DISCUSSION:**

**Council President McGeary** told the Council that there was a problem at Herrick Court which is a roadway that runs from Friend St. to East Main St. and has a staircase in the middle of it. Cars were parking on the upper portion in such a way as to obstruct the stairs. The Council in the spring decided to create a fire lane across the width of Herrick Court which caused some problems for the neighbors who were in the habit of parking their cars in that space. Working with the Traffic Commission and the O&A Committee it was determined that they could create a narrower prohibited parking area which would allow people who resided on Herrick Court to still park their cars but assures that the top of the stairs access isn’t blocked for pedestrians. Instead of the fire lane running the entire length of Herrick Court, it now goes for a five-foot pathway coincident with the top of the stairs, and that all four motions will be to that effect.

**Councilor Cox** asked if there was any weigh in from the DPW or the Fire Department. **Council President McGeary** said recollected there was. **Councilor Cox** noted there no responses from those city departments in the O&A minutes. She expressed concern that there is nothing on the record from the Fire Department or DPW saying that it was her understanding that both departments had concerns about the new changes and asked that they should be heard and be on record. The Traffic Commission should have gotten opinions from the public safety departments and the DPW both this past spring and when considering these amendments to the ordinances. When this first came forward the Traffic Commission and the Council approved a fire lane in the spring without hesitation, and now are changing it when neighbors complained. She pointed out this is a concrete platform that was never meant for parking, questioning its stability. She also pointed out that the stairs are cracking and falling down and there are safety concerns. **Council President McGeary** expressed his agreement that the stairs were in poor condition.

**Councilor Stewart** suggested that this matter could be sent back to the O&A Committee for further consideration. **Councilor Cox** suggested was unnecessary and that the Council should get the opinion of the DPW and the public safety departments and have that put forward for the Council. **Council President McGeary** asked that these ordinance amendments go forward and that if there are adverse recommendations from the public safety departments and the DPW then the Council can reconsider this matter at that time.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO Section 22-270 “Parking prohibited at all times” by**

**DELETING Herrick Court (Friend Street side), for a distance of fifteen feet from the top of the stairs in a northerly direction.”**

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council AMEND GCO Section 22-270 “Parking prohibited at all times” by ADDING Herrick Court on the concrete entrance to the public stairs, a five-foot wide pathway, from the railing on the westerly side in a northerly direction for a distance of 15 feet.”

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO Section 22-270 “Parking prohibited at all times” by ADDING Herrick Court on the concrete entrance to the public stairs, a five-foot wide pathway, from the railing on the westerly side in a northerly direction for a distance of 15 feet.”**

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Section 22-291 “Tow-away zones” by DELETING Herrick Court (Friend Street side), for a distance of fifteen feet from the top of the stairs in a northerly direction.”

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO Section 22-291 “Tow-away zones” by DELETING Herrick Court (Friend Street side), for a distance of fifteen feet from the top of the stairs in a northerly direction.”**

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council AMEND GCO Section 22-291 “Tow-away zones” by ADDING Herrick Court on the concrete entrance to the public stairs, a five-foot wide pathway, from the railing on the westerly side in a northerly direction for a distance of 15 feet.”

**DISCUSSION:**

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO Section 22-291 “Tow-away zones” by ADDING Herrick Court on the concrete entrance to the public stairs, a five-foot wide pathway, from the railing on the westerly side in a northerly direction for a distance of 15 feet.”**

**11. PH2015-054: Amend GCO Chapter 2 “Disposition of Real Property owned by the City” Sec. 2-3(a)(6) “Splitting and Combining Lots” by deleting subsection 2-3(a)(6) in its entirety**

**This public hearing is opened at 8:08 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:08 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor , seconded by Councilor , the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Chapter 2 “Disposition of Real Property owned by the City,” Sec. 2-3(a)(6) “Splitting and Combining Lots” by DELETING Sec. 2-3(a)(6) in its entirety.”

**DISCUSSION:**

**Councilor Whynott** explained that this was something that came up with the Fuller School RFP discussion and that it was, in his opinion, something that handcuffing the Council [from splitting the property].

At the request of **Councilor Whynott, Chip Payson**, General Counsel, responded to a question of whether this ordinance didn't prevent the city from subdividing in advance of selling it. All the ordinance said as it currently stands is that the city, if it hasn't subdivided the parcel in advance of a potential sale, couldn't subdivide it without having gone through a subdivision process. **Mr. Payson** said the ordinance talks about splitting a lot and makes no reference to subdivision. Splitting a lot prior to selling it with the goal and intent to sell the lot is currently barred by the ordinance. **Council President McGeary** asked whether, if the Council and the Administration had wanted to break the Fuller parcel into two lots the city could have gone through the Planning Board subdivision process, creating two lots and then they would have been in full compliance. **Mr. Payson** said a subdivision is splitting of a lot and would have been forbidden by the ordinance. He said he didn't believe they could do that with the ordinance as the Council President has suggested. He added that the intent of the ordinance is that a lot is not to be cut or split in any way to selling it -- if the intent is to sell the parcel whether subdividing it or splitting it both actions would be considered equal. If the intent is to remove that prohibition from splitting the lot with the intent to sell it, then the amendment should move forward. He recounted that there was a problem with splitting municipal lots in the 1980's, and that if this subsection is removed it unencumbers the Council and the Mayor.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Verga, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO Chapter 2 "Disposition of Real Property owned by the City," Sec. 2-3(a)(6) "Splitting and Combining Lots" by DELETING Sec. 2-3(a)(6) in its entirety."**

**12. PH2015-055: Amend GCO Chapter 21, Art. IV "Repair of Private Ways" Sec. 21-85 "Meeting and vote by abutting owners" subsection (b)**

**This public hearing is opened at 8:13 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 8:13 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Stewart, seconded by Councilor Ciolino, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO c. 21, Art. 4 "Repair of Private Ways," Sec. 21-85 "meeting and vote by abutting owners," subsection (b) be Amended by DELETING the bracketed language and ADDING the underlined language as follows:

"(b) At the meeting of abutting owners as required by subsection (1) of this section, separate votes shall be taken and recorded to determine whether certain repairs are to be sought and whether such repairs shall be paid for pursuant to the terms of this article. A majority of [the] all abutting owners, not just those in attendance, must [attend the meeting] vote in favor of both issues in order to qualify for construction or repair under this article. Each property, whether held singly, jointly or by a trust or corporation, shall be entitled to cast one vote by the designated or agreed-upon representative of the owners, and who must be in attendance at the meeting. The official record of the meeting, including the attendees and the votes cast shall be included with the petition for permanent repairs to a private way when the abutters present the petition to the City Clerk as described in Section 21-85."

**DISCUSSION:**

**Council President McGeary** said that read literally GCO Sec. 21-85 if there were 50 property owners who abut a street, and three abutters shows up for a meeting and two abutters votes in favor, the other 47 property owners would be obligated to pay as well. This amendment makes it clear there must be a majority of all the abutters, not just those who show up at a particular meeting must vote in favor in order to proceed.

**MOTION: On a motion by Councilor Whynott, seconded by Councilor Verga, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to Amend GCO c. 21, Art. 4 "Repair of Private Ways," Sec. 21-85**

“meeting and vote by abutting owners,” subsection (b) be Amended by DELETING the bracketed language and ADDING the underlined language as follows:

“(b) At the meeting of abutting owners as required by subsection (1) of this section, separate votes shall be taken and recorded to determine whether certain repairs are to be sought and whether such repairs shall be paid for pursuant to the terms of this article. A majority of [the] all abutting owners, not just those in attendance, must [attend the meeting] vote in favor of both issues in order to qualify for construction or repair under this article. Each property, whether held singly, jointly or by a trust or corporation, shall be entitled to cast one vote by the designated or agreed-upon representative of the owners, and who must be in attendance at the meeting. The official record of the meeting, including the attendees and the votes cast shall be included with the petition for permanent repairs to a private way when the abutters present the petition to the City Clerk as described in Section 21-85.”

**For Council Vote:**

1. **Budget & Finance Standing Committee Report of September 3, 2015 re: Beeman Elementary Boiler Project & a request to repurpose \$66,318 balance of funds remaining in the City Hall boiler conversion project**

COMMITTEE RECOMMENDATION: On motion by Councilor McGeary, seconded by Councilor Cox, the Budget & Finance Committee voted 2 in favor, 0 opposed, to recommend that the City Council approve under M.G.L. c. 44, §20 the repurposing of \$66,318 balance remaining in the City Hall boiler conversion project (CIP Fund 300087) to transfer to Account# 300094.10.472.58425.0000.00.374.00.058, CIP14-05 Beeman School Gas Heat Conversion for the purpose of closing a budget gap in order to completely fund a boiler conversion project for the Beeman Elementary School.

**DISCUSSION:**

**Councilor Cox** explained that the Beeman Elementary School has its original oil-fired boilers from the mid-1950 still in place. The DPW is in the midst of construction, completing demolition and installing two new gas-fired boilers with all the necessary appurtenances. The contract price for the boilers is about \$421,000 plus engineering. She said originally a portion of the project was going to be handled by the \$890,000 loan order appropriation for school improvements and be supplemented by the Green Communities grant money of \$190,000. She had said the Green Communities Grant money was reappropriated to city street lights. As a consequence, the funding was incomplete at the time bidding was underway. Now to fully fund the project, the Administration is asking to repurpose funds remaining from a similar project at City Hall and with funds from the FY16 DPW budget.

**Councilor Cox**, noting the re-appropriation of \$66,318 from the City Hall boiler project, asked where the remaining \$190,000 will come from within the DPW FY16 budget. **Mr. Dunn** said there is \$80,000 available in a conservation fund that was received from gas pipeline money years ago that has been used for two other projects since then and the balance has been sitting in a remediation fund for six years. By repurposing the City Hall boiler project funds there will be about \$30,000 remaining which will be charged to a DPW Facilities division account. **Councilor Cox** pointed out that is \$30,000 that won't go towards mowing city cemeteries. **Mr. Dunn** agreed and said that have routinely run positive balances at the end of the fiscal year. He explained that when this particular budget for the DPW, they are best guessing what the estimates of electric and gas prices will be for the year and budget accordingly. He suggested that as reported in the news of late, the city can likely expect to see a reduction for natural gas prices in the coming heating season. He said they are reasonably sure there will be savings and so that using the DPW funds will not be a burden to their budget. **Councilor Cox** said that the DPW is going to fall short of their budgeted amount of fulfilling any and all services to the city. **Mr. Dunn** said that if the DPW uses everything as they expect through FY16 it is possible they could run short of funds. **Councilor Cox** noted that it has been reported that National Grid is intending to raise rates for electricity and suggested that the DPW may run short in that account. Expressing concern for the funding to complete the Beeman boiler project she asked why the \$190,000 grant money was reprogrammed for the purchase of city lights when it was originally to be earmarked for the Beeman boiler project. **Mr. Dunn** said in discussions with the state they were told they were likely to get fuller funding and that is why they reprogrammed that grant money.

**Councilor Ciolino** asked if the boiler was now installed. **Mr. Dunn** said it is in process and that it will be functioning once the heating season starts.

**MOTION: On motion by Councilor Cox, seconded by Councilor Fonvielle, the City Council voted 9 in favor, 0 opposed, to approve under M.G.L. c. 44, §20 the repurposing of \$66,318 balance remaining in the City Hall boiler conversion project (CIP Fund 300087) to transfer to Account# 300094.10.472.58425.0000.00.374.00.058, CIP14-05 Beeman School Gas Heat Conversion for the purpose of closing a budget gap in order to completely fund a boiler conversion project for the Beeman Elementary School.**

**Unfinished Business: None.**

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

**Councilors' Requests to the Mayor:**

**Councilor Lundberg** congratulated the Sawyer Free Library on the dedication of the John and Dorothy Rando Garden on Saturday. He said it was a generous gift by John Rando in his parent's name which beautified an area of the downtown civic campus that had previously been neglected. He also extended his thanks to John Rando.

**Councilor Cox** wished Mr. Destino a Happy Birthday. She announced a group of activities as follows: The B&F Committee has a site visit to Action Inc. at 4:15 p.m. tomorrow. National Grid is offering a class about lowering electric bills by better winterizing homes to be held at Gloucester High School from 6 p.m. – 8 p.m. this Thursday. On Sat., Sept. 26 and Sun., Sept. 27 the Essex County Velo Gran Prix Cyclo-Cross event takes place at Stage Fort Park. Medication Disposal Day will take place this Saturday at the Rose Baker Senior Center from 10 a.m. to 1 p.m. On October 3 there will be 5K and 10K Road Race with 100 percent of the proceeds support the Boston Wounded Veterans which is a local organization, not associated with the Wounded Warrior's project. It is \$30 to register for the 5K and to register for both the 5K and 10K is \$35. The race organizers are still looking for volunteers and donations for a raffle to be awarded that day are welcome.

**Councilor LeBlanc** thanked DPW Director Mike Hale and his department for the paving taking place currently throughout the city. He announced on Thursday, Sept. 24, and Friday, Sept. 25 the city's paving contractor will be raising the structures on Washington Street from Exchange Street to the Grant Circle rotary in preparation for the final paving. That will begin Sunday evening, Sept. 29 and continue through Monday morning, Sept. 30. This project is weather dependent. He noted the DPW is aware of the inconvenience to the residents of the city and they have assured they will take all the necessary steps to minimize disruption.

**Councilor Ciolino** wished the seniors of Gloucester a good evening.

**Councilor Fonvielle** thanked the Councilors who attended the dedication of the John and Dorothy Rando Garden in his capacity as a Director of the Sawyer Free Library. He noted work is underway on the water main rehabilitation on Hesperus Avenue which he reported is proceeding smoothly. He also encouraged people to attend the Essex County Gran Prix Cyclo-Cross Race this coming weekend and touted the West Gloucester Trinitarian Congregational Church's Fall Festival this Saturday from 9 a.m. – 2 p.m.

**Councilor Whynott** said he attended to the Harvest Moon Music Festival benefit to the Addison Gilbert Hospital. He suggested that more money was raised that evening than had been set as a goal. He lauded the organizing efforts of Lee Swekla and Carol Pallazola whom he said did a great job.

**Council President McGeary** said that Sept. 29 is the preliminary municipal election and encouraged people to come out and vote.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 8:30 p.m.**

**Respectfully submitted,**

**Dana C. Jorgensson  
Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- **Memo from Jim Destino, Chief Administrative Officer dated September 22, 2015 re: The appointment of Leonard Gyllenhaal as a full member of the Zoning Board of Appeals and the appointment of Marc Mahan to the Zoning Board of Appeals be repurposed to act as an alternate to that Board.**