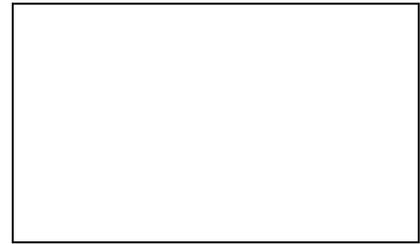


**GLOUCESTER CITY COUNCIL CALENDER OF BUSINESS
TUESDAY, MARCH 4, 2008
7 P.M.
KYROUZ AUDITORIUM, CITY HALL
COUNCIL MEETING #2008-006**



FLAG SALUTE & MOMENT OF SILENCE
ORAL COMMUNICATIONS
COUNCILLOR'S REQUESTS TO THE MAYOR

CONSENT AGENDA

- **APPROVAL OF MINUTES**
 1. City Council Meeting: 02/26/2008
- **COMMUNICATIONS**
 1. Request for Extension of Poet Laureate Deadline from Committee for the Arts
- **ORDERS**
 1. CC2008-008 Dedication of Land to Anton J. Muller for his service to the City
 2. CC2008-010 Reorganization of Civil Defense Department

Devlin
Hardy

ACTION

(Approve/File)
(File)
(FCV 03/18/2008)
(Refer O&A)

COMMITTEE REPORTS

1. B&F: 02/28/2008

(Under Separate Cover)

COUNCILLOR'S REQUESTS OTHER THAN TO THE MAYOR

ROLL CALL - Councillor Sharon George

Robert D. Whynott, City Clerk

NEXT REGULAR CITY COUNCIL MEETING, TUESDAY, MARCH 18, 2008

**GLOUCESTER CITY COUNCIL CALENDER OF BUSINESS
TUESDAY, FEBRUARY 26, 2008 - 7 P.M.
KYROUZ AUDITORIUM, CITY HALL
COUNCIL MEETING #2008-005**

Attendance: Bruce Tobey, Council President; Sefatia A. Romeo, Council Vice President; Councilors Joe Ciolino, Steve Curcuru; John “Gus” Foote, Sharon George, Jason Grow, Jacqueline Hardy

Also: Mayor Kirk, Jim Duggan, David Bain, Everett Brown, Bill Sanborn, Beth Brousseau, Mike Wells, Shawn Marlo, Marcia McInnis, Anthony Porcello, Jonathan Poore, Richard Gaines

Absent: Anna Tenaglia,

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

FLAG SALUTE & MOMENT OF SILENCE

ORAL COMMUNICATIONS

COUNCILLOR’S REQUESTS TO THE MAYOR

08-30 (Curcuru) Request the Mayor instruct the DPW to repair the potholes on Commonwealth Avenue and Wheeler Street.

08-31 (Hardy) Request that Mayor Kirk submit to the City Council, as part of the DPW quarterly reporting, updated **status reports** on the condition of the **Babson Reservoir Dam**. Babson Reservoir Dam was one of the few dams in the state that were rated “poor” during the abbreviated inspection ordered by Governor Romney in October of 2005. The Ward 4 residents down stream of the dam have great concerns about the stability of the Dam. This information will be valuable in keeping those Ward 4 residents updated on a regular basis.

Excerpt from **Massachusetts DCR, Office of Dam Safety - WSE Project No. 205426**

Weston & Sampson report to City of Gloucester dated October 27, 2005

Emergency High Hazard Dam Inspections – Essex County

BABSON RESERVOIR DAM – # MA00187 GLOUCESTER, MA

Our inspection did not identify evidence of recent overtopping or serious deficiencies that are considered to require immediate response, primarily because the reservoir level is maintained near the base of the dam. However, we observed an upward flow of water at the toe of the slope in the spillway discharge channel at the end of the concrete channel lining next to the right channel wall, even with the reservoir level low. This condition is an indication of possible internal erosion (piping) through the embankment, which has the potential to lead to catastrophic embankment failiure. The rate of flow was estimated between 3 and 5 gallons per minute and the flow was clear. Clear flow suggests no loss of embankment soils. This condition should be monitored for flow rate, clarity of the water and for accumulation of soil around the flow area the next time the reservoir is filled. If the flow becomes cloudy or sandy and/or the rate increases significantly, reservoir filling should be terminated, a more thorough evaluation of this condition made and corrective actions taken as appropriate. Also, vegetation on the downstream slopes and the crest of the dam prevents thorough observation for deficiencies. We recommend that the vegetation be cut before the next reservoir filling, then maintained close to ground surface to facilitate visual inspection for signs of seepage and slope instability. Finally, the concrete components of the dam are in poor condition and should be improved to help assure integrity of the dam. Regular (at least weekly) monitoring of the dam for seepage and unusual movement is recommended if this reservoir is filled before recommended corrective measures are taken.

Additional documentation (Complete 2 pg. letter from WSE) attached as PDF file. Please copy and attach to this request.

08-32 (Tobey) Request the Mayor provide an updated listing of streets in need of water infrastructure improvements.

PRESENTATIONS:

1. Council Discussion with representatives from Unifund

The power point presentation focused on the current status of implementation and outstanding items, the status of the relationship with Unifund and lessons learned. (*copy in file*).

Four major areas of implementation outstanding: Tax Title, Permitting, GIS and Web Portal Training programs to address the outstanding items, refresher training and department training. All the bills to Unifund have been paid except one travel bill tabled at B&F. Business processes for generating and managing reports are being defined, the structure of the chart of accounts is being reviewed and we will also have to consider upgrades to the system.

Mayor Kirk noted that Unifund scoped this at 549 hours and what they delivered in excess of the contract was 1,100 hours. Unifund mis-scoped this project which translates into \$103,000 which they did not charge the city. Unifund acknowledged the turbulence associated with the conversion and the difficulties in the Revenue and Budget Sense modules. There is no dispute about those difficulties. Although support has improved, we still have questions about the support the city should get. On the city side, we acknowledge that we had some “garbage in and garbage out” – that Data National wasn’t 100% clean. You are only as good as the data coming in. She feels that as a city we didn’t take the departments and the managers through the changes and what happened was the IT department defined the business requirements that should have been defined by the departments using the system and because of the change in the way people performed their job function there was some resistance. The good news is that FY08 is running well. Revenue and Budget Sense is working. With regards to the overall relationship with Unifund – she will decide whether or not Unifund gets a reference from the city. We are committed but there are some issues and we need Unifund to stay with us in terms of training and turning on some of those key functions.

Mike Wells spoke to the resistance piece and the lessons learned. He felt the resistance wasn’t self serving; that most of the people’s reluctance to use this was due to a concern that they couldn’t fulfill their job responsibilities using this system. That was a major issue in getting this implemented and functioning correctly.

Lessons Learned: It was IT led – we needed a mandate out of Mayor’s office for department implementation. Needed staff (users) to have more influence; project seen as imposition and had great impact on how people do their work; timetable was too aggressive; weren’t adequately prepared for an inexperienced vendor. We underestimated the ability of the organization to absorb the magnitude of the change to an integrated and automated system. Staff levels were not adequate for taking on the new work generated by the conversion and new implementation. We should have run more parallel system tests and we underestimated the degree of training required.

Questions. **Councilor Grow** asked how much additional training money was requested.

Mr. Wells replied that he believes \$50,000 was added to the training budget.

Councilor Grow referred to the Charter and stated the implementation and management of the software falls under the responsibilities of the Administrative Assistant in the Mayor’s office. The IT department should have never been put in that position in the first place. The other concern was from the Auditors who felt they weren’t brought into the process of selection and should have been brought into the process sooner. Reporting problems seem to be one of the most critical issues. He stated there are industry standard reports and why has that process been so difficult to implement.

Mr. Wells stated this allows you to choose values and divide up the chart of accounts anyway we would like. Unifund provided filters to sort that data to try to deliver that.

Mayor Kirk stated the software is not configured to our specifications, so it will not produce the reports we need. Right now we are in the process of defining the business requirements needed. The tool is there but we need to define the requirements.

Councilor Grow stated the problem has been the integration of the revenue side and the reporting and how much longer until we have a fluent set of reports coming out of this system. Even if we get this running smoothly in the next couple of years, there will still be problems that will render the system fairly obsolete in a short period of time. Suggestions have been made that perhaps we should cut our losses and move on with a more productive program.

Shawn Marlo, Director of Field Services, Unifund explained that the system comes with a number of predefined “canned” reports. In today’s day and age, technology needs are growing at a rapid pace, so the key is to give the end user the flexibility to customize reports. In our system we have reporting tools that end users can put it into formats specific to that user’s site. The entities we deal with all have different requirements. We have also invested a significant amount of time expanding on those reports to continue to aid and foster the information coming out of that system. The troubles we acknowledged between the integration of the two systems are beginning to iron out, and from our perspective, those processes are in a relatively stable environment.

Councilor Tobey asked the Assistant City Auditor to weigh in on the status of reporting from the Auditor’s perspective.

Marcia McInnis, Asst. City Auditor stated it is interesting to see the lessons learned and it is very encouraging that we are beginning to look at ourselves and the process honestly. One part of the slide presentation noted the hours projected for completion of the project was 500 and the unbilled hours were double that. It was a process that had more unknowns than knowns and she agrees that it is going to take a lot of work to make the reporting satisfactory. The previous system provided two page reports as opposed to the current system that produces reports anywhere from 24 to 51 pages. She agrees that we should have talked more at the outset about our requirements but also feels we can make the system produce the information the Auditor’s, the DOR and the lenders need. Other systems have the fundamental reports we are looking for that come with them, but we purchased Unifund.

Councilor George asked at this point, are we able to bring up mid-year expenditures to see what we are going to be looking at for shortfalls.

Ms. McInnis replied we are taking exports and manicuring them through data manipulation.

Mayor Kirk stated the management reporting is important but completing FY07 is the number one priority. The independent auditor can start his work as we finish up the pieces of 07 and our goal is to have that completed by 4/1st before Barry Boyce departs.

Hardy asked Ms. McInnis if she feels we should stick with the system we have or cut our losses and run.

Ms. McInnis’ initial response is to get a product that meets all our reporting needs but the practical reality is we have invested a terrific amount of time and effort in making this product what it is now. She added that a lot of the functionality of the system right now is due to the efforts of Mike Wells. He has done a commendable job with what we have had to work with. When we first had Revenue Sense, it had very limited reporting capabilities and we don’t have true periodic reporting, it is very difficult to work with.

Councilor Hardy added kudos to Anna Tenaglia for getting us to where we are. She took offense when the employees who were trying to use the system were being blamed for this when they needed more training.

Mr. Wells hopes that isn’t the impression given.

Councilor Ciolino feels this started out of square and is it still out of square.

Mr. Wells explained that from an IT perspective he is comfortable with the integrity of the data but getting access to those reports is a different matter. There might be better applications out there but he doesn’t think that difference is enough to redo what we have already done.

Councilor Ciolino asked about progress on the integration of this program and referred to a communication from Christopher Farmer regarding an outstanding invoice to Dick Hingston for consultation services in support of the end of year report to the DOR. These services were initially offered pro bono but due to the amount of work involved a \$1,238 charge was incurred. How many more of these bills are we going to see and should we pay this bill or hand it to Unifund.

Mr. Marlo is not familiar with what was done. The software has the ability to create the report to DOR and he feels this may go back to the theme of training. To say Unifund has been unconcerned about any part of this is an unfair assessment. We have been a partner to management and to Mike Wells throughout this process. We are concerned that users aren't using the system to the best of their capabilities.

Councilor Romeo did not vote for this from the beginning. This was talking about going with a system that was already outdated for the city. Recognizing the issues and the lessons learned, her concern is what this is going to cost the city and should we continue with a system that may have to be replaced because of advances in technology. She asked how many people come down from Unifund to train our staff.

Councilor Tobey asked given where it is now, does this program have a project-able lifespan.

Mr. Wells feels he wouldn't have put in the amount of time and effort into a system if he didn't think it had a project-able lifespan. You can expect the cost of maintaining up-to-date technology will be ongoing.

Councilor Tobey asked what the intended lifespan was when this was implemented three years ago.

Mr. Wells replied the projected lifespan was nothing less than 5 years and there are questions whether or not we can get another three years on top of that. We may need to address the hardware but he doesn't see it as a non-strategic platform.

Councilor Curcuru asked if we are rewriting the software for Unifund. We seem to be taking a lot of the kinks out of the application prepared for us.

Mr. Wells replied yes, he agreed we have done a lot of the unkinking.

Councilor Curcuru feels it is great they didn't charge us for the additional hours but asked how many man hours have we wasted.

Mr. Wells cannot determine that calculation.

Mayor Kirk stated this is the core system by which we run the city. Every piece of data we have on our customers is in this system. Two hundred and fifty thousand bills have gone out using this system. The integrity of the data and the system is there. This is not a superficial change we should ever consider unless the city couldn't generate the core business of the city and all of that is stable and working.

Councilor Devlin agrees training is crucial and asked what the plan of action for training is and how long it will take.

Wells replied we have redefined how we are going to do the training. A lot of the training was done at the desk and did not work, so we are going back to small group classroom training, intensive and hands on. The measure of success being "do people feel enabled" to do what they need to do. Training has begun and runs through September and each person in each department will receive three full days of training.

Ms. McInnis agreed that training has been a big issue in the city. We began to realize what was missing on the city side was that we were not having any expectations for increased skills. We asked the training have measured out skill sets and when we took that approach, we began to see a direct increase in the kind of experience needed. The person that appointed that charge immediately picked up on what we wanted. When she began to request training sessions; she discussed what was expected to be learned and later provided feedback.

Councilor Devlin asked how long after the training will we have to upgrade the system.

Ms. McInnis replied that is regrettably going to be an on going facet of technology.

Councilor Hardy asked if we have already paid for the permit and GIS modules and if not do we have enough in the current budget to pay for them.

Mr. Wells believe we have not yet paid for those, but do have the money available.

Councilor Hardy asked how long we have had the permit modules and when they would be implemented.

Mr. Wells replied we have had the permit modules for the three years and one of the reasons we haven't moved forward with the GIS module is we wanted to wait until we implement the CMMS system. We are probably a month or two away from implementing it once it is established as a priority.

Councilor Tobey asked if there is an approach employed to build an ongoing training program by providing training from within.

Mr. Wells replied we will first train all staff and then nominate trainers for ongoing training.

Councilor Tobey asked is DOR in the loop on our progress and are they satisfied with that progress.

Mayor Kirk replied DOR needs to be briefed on this Unifund summary.

CONFIRMATION OF APPOINTMENTS

1. Administrative Assistant to the Mayor – TTE 02/14/2009: Jim Duggan

MOTION: On motion of Councilor Tobey, seconded by Councilor Romeo the Ordinances and Administration Committee voted 2 in favor, 1 opposed (Romeo) to recommend to the full City Council Jim Duggan as Administrative Assistant to 2/26/08.

Discussion. Councilor Hardy voiced her concern about the budget piece and if that will remain under the Administrative Assistant's purview or part of the new position.

Mayor Kirk explained that until the budget position is approved by the City Council, the responsibility will be in the Office of Mayor (Mr. Duggan and herself). Many functions outlined in the job description of Budget Manager are currently not being performed and Ms. Tenaglia will go through detail around that. The budget compilation process is pretty much automated and standardized through the use of Unifund system. The budget manager will coordinate that and manage financial oversight with the managers on a regular basis, tracking revenues and expenses, as there isn't currently a lot of internal control around that. Because the Charter is specific to the function of budget being within the Mayor's office the budget manager will report to the Treasurer/Collector for those parts of the position covered in her department and to the Mayor for those parts covered in the Mayor's office, such as the budget. The matter before the Council is the approval of the Administrative Assistant to the Mayor; the Budget Manager position is not in place.

Grow feels the Mayor's reorganization plan may have an impact on whether would move on this position. He suggested the Mayor issue Mr. Duggan one or two 90 day appointments to allow time for her to come forward with the reorganization plan while still moving forward with city business.

Mayor Kirk explained that there is not a reorganization of the Mayor's office at this time and feels that perhaps it was a mistake to share early on her intentions on how she was going to split up responsibilities between the Mayor and her Administrative Assistant, to whom she delegates responsibility to. She was only sharing thoughts on how to reassign responsibilities in the Mayor's office to better serve the city.

Councilor Grow formally **REQUESTS a review and response from City Solicitor on the interpretation on whether or not the Mayor can take the responsibilities listed in the Charter (Sec. 3.7) and re-delegate them.**

Councilor George agrees. Charter Sec. 3.7 is very specific on the duties of the Administrative Assistant to the Mayor and a major function of that is the budget.

Mayor Kirk explained that the Mayor has the ability to assign to her Administrative Assistant the duties and functions she sees fit as laid out in the Charter. She read Charter Sec. 3.7 into the record.

Councilor Foote feels this is the Mayor's appointment and hopes the council supports it.

Councilor Ciolino agrees that the Mayor should have the ability to choose her Administrative Assistant and run the Mayor's office as she chooses. He supports the Mayor's choice.

Councilor Romeo asked about the details of the 90-day appointment to Sara Buck as Community Development Director.

Mayor Kirk stated the Personnel Director suggested we issue a 90 day appointment in order to advertise that position. That is a very important position to the community and we received very few resumes back from the advertisement. She has no interest and intention to advertise for the Mayor's Administrative Assistant position, as it is her choice.

Councilor Romeo opposed this in O&A but met three times with Mr. Duggan and supports this appointment. The position of Budget Manager still has to go B&F. She clarified that Sara Buck will not be both the Community Development Director and Budget Manager and she will report to the Administrative Assistant. She can understand the concerns about the Charter.

Councilor Curcuru agreed that this is the Mayor's appointment and asked if in the Mayor's eyes the Administrative Assistant is he capable of doing the job.

Mayor Kirk has no doubt he can do the job.

Councilor Hardy noted her comments were not directed to the person, they were to the process. Mr. Duggan has been helpful and his attention to detail has been phenomenal. It was just the process that concerns her.

Councilor Curcuru asked how Mr. Duggan feels about his budget capabilities.

Mr. Duggan has worked on \$140 million budgets in other communities, so it is not unfamiliar territory.

Councilor Curcuru asked if he has ever fired anyone –both union and non union.

Mr. Duggan replied he has in both, and it was well documented and followed through.

Council President Tobey stated the Mayor should be afforded the discretion to put his or her own team in place and will be held to the standards of the Charter regardless of whether or not there is a budget manager position. He looks forward of the discussion of budget manager. With regards to the concerns raised regarding the CFO's position in the chain of command; the Mayor's office is where that position should live. He supports the nomination.

MOTION: On motion of Councilor Foote, seconded by Councilor Romeo the City Council voted 8 in favor, 1 opposed (Grow) the appointment of Jim Duggan to Administrative Assistant to the Mayor for a term to expire 2/14/09.

2. Chief Finance Officer - TTE 02/14/2009 : Anna Tenaglia

MOTION: The Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the full City Council the appointment of Anna Tenaglia to Chief Financial Officer for a term to expire 2/14/09.

Discussion. **Councilor Hardy** supports the appointment.

MOTION: On motion of Councilor Foote, seconded by Councilor Romeo the City Council voted 9 in favor, 0 opposed the appointment of Anna Tenaglia to Chief Financial Officer for a term to expire 2/14/09.

3. Personnel Director -TTE 02/14/2009: David Bain

MOTION: The Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the full City Council the appointment of David Bain to Personnel Director for a term to expire 2/14/09.

Discussion. Councilor Romeo supports the appointment.
Councilor Hardy will be supporting the nomination.
Councilor Foote feels this is a good appointment.
Council President Tobey also supports the appointment.

MOTION: On motion of Councilor Foote, seconded by Councilor Hardy the City Council voted 9 in favor, 0 opposed the appointment of David Bain to Personnel Director for a term to expire 2/14/09.

4. Purchasing Agent -TTE 02/14/2009: Everett Brown

MOTION: On motion of Councilor Romeo, seconded by Councilor Tobey the Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the full City Council the appointment of Everett Brown to Purchasing Agent for a term to expire 2/14/09.

Discussion. Councilor Foote disclosed that Everett Brown is related to him but there is no conflict of interest. He feels Everett does an excellent job and he will support this appointment.
Councilor Ciolino stated we can count on Everett Brown to be the voice of reason in City Hall and urged the Mayor to use his experience in a lot of her decision making.
Councilor Romeo supports the appointment. She feels we are very fortunate to have Everett.
Councilor Hardy also supports the appointment. Everett is behind the scenes in a lot of things that happen in the city and she thanked for all his help over the years.
Council President Tobey disclosed that Everett Brown is a relative of his as well and that there is no conflict of interest.

MOTION: On motion of Councilor Foote, seconded by Councilor Ciolino the City Council voted 9 in favor, 0 opposed the appointment of Everett Brown to Purchasing Agent for a term to expire 2/14/09.

5. Building Inspector - TTE 02/14/2009: Bill Sanborn

MOTION: The Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the full City Council the appointment of Bill Sanborn to Building Inspector for a term to expire 2/14/09.

Discussion. Councilor Hardy stated as Chair of P&D she relies on Bill Sanborn's advice. This office is revenue generating and she feels he needs more staff for enforcement. She would like to work with him on the ticketing procedure. She thanked him for all his help and supports the appointment.
Councilor Romeo stated Bill Sanborn has helped her to learn and understand the process. That office is important to the city. She supports the appointment.
Councilor Ciolino stated it is his third term working with Bill Sanborn and through the years he has done a great job and we are lucky to have him. That office is a revenue generator and we should staff it.
Councilor George has worked with Bill Sanborn as Clerk of Committees, as Assistant City Clerk and now and she supports the appointment.

MOTION: On motion of Councilor Foote, seconded by Councilor Hardy the City Council voted 9 in favor, 0 opposed the appointment of Bill Sanborn to Building Inspector for a term to expire 2/14/09.

6. Assessor - TTE 02/14/2011: Beth Brousseau

MOTION: The Ordinances and Administration Committee voted 3 in favor, 0 opposed to recommend to the full City Council the appointment of Beth Brousseau to Assessor for a term to expire 2/14/11.

Discussion. Councilor Hardy stated this is the position of someone who has moved up through the ranks of City Hall and brings such vitality to the office. She supports the appointment.

Councilor Romeo also thanked Beth for her good responses to seniors explaining the valuation process and tax classification. She supports the appointment.

Council President Tobey stated the Assessor's office is central to the city's operation and is a great benefit to the city providing resources and support needed to be viewed as critical investments to the city. He also supports this appointment.

Councilor Hardy would like to acknowledge all the staff behind the department heads that have been confirmed tonight.

MOTION: On motion of Councilor Foote, seconded by Councilor Hardy the City Council voted 9 in favor, 0 opposed the appointment of Beth Brousseau to Assessor for a term to expire 2/14/11.

CONSENT AGENDA

ACTION

- **MAYOR'S REPORT**
- 1. **Appointment:** Downtown Development Commission **Joseph Ciolino** (*Refer O&A*)
- 2. Request to establish the position of Budget Manager (*Refer O&A*)
- 3. Request to purchase new beach cleaning equipment (*Refer B&F*)
- 4. Memo from Sup't of Schools requesting to pay an invoice w/o a P.O. (*Refer B&F*)
- 5. Memo from Harbormaster requesting a transfer. (*Refer B&F*)
- 6. Report from City Auditor "Duty When Appropriations are Exhausted" (*Refer B&F*)
- **INFORMATION ONLY**
- 1. Responses to Councilor Requests from the 01/22/2008 Meeting (*File*)
- **APPROVAL OF MINUTES**
- 1. City Council Meeting: 02/12/2008 (*Approve/File*)
- **APPLICATIONS/PETITIONS**
- **SCP #2008-002:** 28 Kent Rd: Construction of a Float/ Seasonal Gangway (*Refer P&D*)
- **COMMUNICATIONS**
- 1. **COM2008-003-** Request from St Peter's Fiesta Comm for use of City Land (*Refer P&D*)
- 2. **COM2008-004-** Letter from Resident regarding Veteran's Services (*File*)
- **ORDERS**
- CC2008-009 Confer the Title of "Woman of the Year" **Foote** (*FCV 03/18/2008*)

ITEMS REMOVED FROM CONSENT AGENDA

Councilor Grow removed Mayor's report #2 and #3.

Councilor Foote removed Order 08-09.

MOTION: The consent agenda was adopted by UNANIMOUS consent of the full City Council with the exceptions of Mayor's report items 2 and 3 and Order 08-09.

Councilor Grow requested the City Solicitor provide process and procedure on creation of a new position of budget manager.

Council President Tobey asked that when this comes before O&A that the Administration have an idea of when this position will be filled, the posting required and the funding source.

MOTION: On motion of Councilor Grow, seconded by Councilor Romeo the City Council voted 9 in favor, 0 opposed to refer the request to establish the position of Budget Manager to Ordinances and Administration.

Councilor George spoke on Mayors report item #3. It is almost March and the beaches will open Memorial Day weekend. If we want to keep up our beach revenue, we need clean beaches. She asked this move quickly. Last year's machine cannot be fixed and would like to have this expeditiously.

Councilor Grow agrees we need to expedite this but would like to refer it also to the CIAB Committee to come back with a recommendation on this. He asked they be invited to come to the B&F meeting.

Councilor Ciolino stated this will be before B&F this Thursday and we need to keep the process moving. If the CIAB can't make the B&F perhaps they could come to the next Council meeting.

MOTION: On motion of Councilor Romeo, seconded by Councilor Hardy the City Council voted 9 in favor, 0 opposed to refer the request to purchase new beach cleaning equipment to Budget and Finance.

Councilor Foote has met with the elderly many times and they always want him to thank Sefatia for her work with the seniors. He was honored to bring this forward and feels she deserves this and that this is what she does outside being a City Councilor.

Councilor Romeo is honored and thanked Councilor Foote for the nomination but will have to decline "Woman of the Year". She feels the community showed how they felt about her by their votes - she is not a woman of the year - she is a team player - she volunteers from the heart.

Councilor Ciolino has known Councilor Romeo for years and is "Woman of the Year" for a lot of years and her work does not go unappreciated.

ADDENDUM:

Councilor Hardy stated it has come to the attention of many Councilors that the Special Council Permit #2007-14, Jim's Bagel, 27 Railroad Avenue may be in violation of one or more of the conditions for which the permit was issued.

MOTION: On motion of Councilor Hardy, seconded by Councilor Ciolino the City Council voted 9 in favor, 0 opposed to refer the addendum regarding SCP 2007-14, Jim's Bagel, 27 Railroad Avenue to Planning and Development for review of possible violations to the special council permit.

Discussion. Councilor Hardy is not singling anyone out; we just need to let the community know that there is accountability and transparency in the process.

Councilor Foote stated the Building Inspector is the guide and when he says they may be a violation; he would like a legal opinion whether they are or not.

Council President Tobey agreed there needs to be a message sent of accountability.

SCHEDULED PUBLIC HEARINGS**Public Hearing #1****08-005: Council Order 2007-44: Amend 22-284 Rogers Street** (*Continued from 02/12/2008*)**The public hearing is opened.**

Speaking in favor. Attorney Anthony Porcello, client formerly McTee's Realty Trust, now Latitude 43. The intent is to adjust the loading zone and one parking space. He presented a diagram showing the current loading zone of 52' wide which serves a dual purpose, as a loading zone between certain hours and after hours it becomes taxi stand. In front of that loading zone going on Rogers Street in direction of traffic is one parking space. When doing construction we cut the curb in anticipation of this proposal. We propose to shrink the 52' loading zone down to 40' and push the parking space back to increase the size to 19' space. Additionally where the curb cut is we would like to include a cross walk to create a walking corridor that would access what is now known as "Harbor Walk" also part of our Ch. 91 requirements, to draw a continuum from Main Street down to the waterfront. The impact here is very minimal. We are only shrinking a limited use loading zone and have contacted taxi companies who didn't oppose the reduction in this space.

Jonathan Poore, 315 Washington Street provided a map and an overview of the proposal to get public access from Main Street through this property down to the waterfront. All encroachments have been removed and all areas are now above flood elevation and completely accessible to the public. The purpose of this proposal is to finish the connection, to create a safe crosswalk and complete the alignment of the existing public way to this newly created public way, to create a public way to the waterfront.

Speaking in opposition. No one spoke in opposition.

Communications. None.

Questions. Councilor Ciolino asked about the existing parking lot and how many cars that holds.

Mr. Poore replied the existing parking lot remains with the five parking spaces. In the works is a one way drive through with a drop off crescent in front of the restaurant.

Councilor Romeo stated when this did come to O&A for a vote, it was her understanding they were taking away the parking, not pushing it back. She was concerned about double parking for unloading but now she is in favor since you are not eliminating that space – just pushing it back.

Councilor Grow asked when they expect the loop to be completed.

Attorney Porcello replied it has been formalized in a licensing agreement and construction work is being done on the neighboring site and we are expecting a three month completion time.

Councilor Hardy likes the idea of continuing the flow of foot traffic from Main Street to the Harbor and asked is the Harbor Walk one of the conditions of the Ch. 91 license.

Attorney Porcello replied yes.

Councilor Hardy asked if the applicant could install and maintain the crosswalk.

Attorney Porcello replied we didn't want to dictate how the city did the crosswalk, as long as it is designated but we could install and maintain it and it could be done with pavers.

Council President Tobey suggested referring this to the Engineering Department for further review.

Councilor Hardy asked if the cars parked in the parking lot will back up into the foot traffic.

Mr. Poore replied it will be all one way with the exit over on Fisherman's Wharf.

Councilor Devlin asked how much they have reduced the loading zone,

Mr. Poore replied from 52' to 40' (12'). We are moving the loading zone back 12'.

Councilor Devlin asked if they think 40' is enough for a loading zone.

Mr. Poore stated once this is complete trucks can pull in off hours and unload.

Councilor Devlin feels with the size of the delivery trucks, reducing the loading zone is a little more detrimental than anticipated.

Mr. Poore replied two owners are collaborating towards a mutual supportive building development and as a practical matter they are sharing storage, access and egress and the ability to move trucks through for loading. There has been collaboration between abutters.

Councilor Hardy asked if they are planning on installing signage for the loading area.

Mr. Poore replied there is a loading zone sign but we could add "shut your engines off".

The public hearing is closed.

MOTION: The Ordinances and Administration Committee voted 2 in favor, 0 opposed to recommend to the full City Council that Section 22-284, entitled "Service or Loading Zones" of the Gloucester Code of Ordinances be AMENDED by DELETING Rogers Street, southerly side, beginning at a point 20 feet from the westerly direction for 52 feet from the hours of 6:00 a.m. to 6:00 p.m. daily and by ADDING Rogers Street, southerly side, beginning at a point 30 feet from the westerly corner of the entrance to the parking lot at #25 Rogers Street in a westerly direction for 48 feet from the hours of 6:00 a.m. to 6:00 p.m. daily.

MOTION: On motion of Councilor Foote, seconded by Councilor Romeo the City Council voted 9 in favor, 0 opposed that Section 22-284, entitled "Service or Loading Zones" of the Gloucester Code of Ordinances be AMENDED by DELETING Rogers Street, southerly side, beginning at a point 20 feet from the westerly direction for 52 feet from the hours of 6:00 a.m. to 6:00 p.m. daily and by ADDING Rogers Street, southerly side, beginning at a point 30 feet from the westerly corner of the entrance to the parking lot at #25 Rogers Street in a westerly direction for 48 feet from the hours of 6:00 a.m. to 6:00 p.m. daily.

COMMITTEE REPORTS

I. O&A: 02/11/2008

MOTION: The Ordinances and Administration Committee voted 0 in favor, 3 opposed to recommend to the full City Council that the Mayor and the City Council petition the General Court for the enactment of a Home Rule Petition for the purpose of exempting the positions of Chief of Police and Fire Chief from the provisions of Civil Service Law, Chapter 31 of the General Law and further that Sec. 17-17 and Sec. 8-16 and 8-17 of the Gloucester Code of Ordinances be amended accordingly to delete references to the respective chiefs as they pertain to inclusion in Civil Service. MOTION FAILED

Discussion. Councilor Grow read his argument regarding Order 08-04 into the record.

RE: Order 08-04 Home Rule to Exempt Chief of Police and Fire from MGL c. 31 (Civil Service)

Every major department head in this city is subject to the appointment and confirmation process save for two -- the chiefs of our fire and police departments. It is increasingly clear that the current method of choosing and retaining these two positions is no longer serving the best interests of the community and it is time to join the vast majority of Commonwealth communities in adding competition, choice and greater accountability to these two extremely important management positions. In order to remove these positions from Civil Service coverage, we would need to go either through a referendum process, or the Council and the Mayor may request action from the Legislature through a Home Rule Petition.

I put this order in for a number of reasons:

We need to create the mechanism by which we allow the Mayor the opportunity to seek out the best qualified candidates for consideration. By broadening the scope of our potential candidate pool and increasing competition we ensure a richer level of choice. It will increase the accountability of the leadership of our public safety departments and decrease unnecessary red

tape that hinders the ability to transition leadership in a timely manner should it be evident that these managers are not performing at optimal levels. Of the 351 communities in Massachusetts, only 89, or 25%, of Police Chiefs and only 65 or 18.5% of Fire Chiefs retain their positions under Civil Service.

It's become increasingly clear that the residents of Gloucester are not best served by keeping in place a system that overly complicates the removal of ineffective leadership from increasingly dysfunctional public safety departments. Yes, it is theoretically possible to remove a sitting chief from his/her position via the Civil Service -- however practically speaking, because of the reticence of the rank and file to bring forward complaints or concerns about poor management, an increasingly unhealthy and factionalized culture festers behind the scenes. It's time to open up the system, shine light into the abyss and begin the process of healing not only our public safety departments, but also the trust of the public we all serve. We have many fine officers in both departments yet decades of insular protectionism and lack of political will has led to a state of near crisis in both departments -- it is time to address this proactively and decisively. I don't think there's a Councilor here who hasn't been pulled aside by members of either department with grave, but off the record, concerns about the state of management. It's time to take a step towards constructive change.

At the OA meeting where this was initially discussed, there were a number of points brought forward by those in attendance, and I'd like to take a moment to address some of these:

1: It is unfair to change the playing field for career officers who hope at some point to rise to the level of chief, that at the end of a 30 year career, they deserve the opportunity to be Chief. How are we supposed to tell young patrolmen coming into the department that they won't one day become Chief?

Absolutely nothing about removing the Chiefs' positions from Civil Service prevents any qualified applicant from within the department from applying for and being appointed to the position of Chief. What it does is open up the breadth of the applicant pool and hone the competition for the position. It was suggested that the City would be flooded with applicants for any Chief's position, and while I appreciate the added volume of review that would entail, I am hard pressed to understand how a more competitive selection process is a negative thing. What I would say to the young officers with an eye towards the Chief's position is this: Work hard, excel at what you do, make being Chief your career goal and work to make it happen. I would also tell them that no one should spend their career with the expectation that they should expect to make the Chief's position simply by virtue of longevity. I would argue that given a choice between two equally qualified candidates, there is going to be a natural leaning towards choosing the hometown candidate. I really don't have a problem with this because given all other areas being equal, having local knowledge and roots is a good thing. But it is not the only qualification that should prevail. I want the best candidate possible, and if that person is currently in the department, then by all means they should prevail -- but don't artificially predicate the results by ignoring the possibility that the best candidate may be from just down the road but ineligible under our current system.

2: The Civil Service process is there to prevent patronage and remove the political element from the equation.

I would argue that opening the selection pool would actually diminish the possibility of patronage and political favoritism. Given the significantly small pool of potential applicants currently available, there is no question that the final selection comes down at some level to politics. One only has to look at the last couple of selections to realize this. Currently, a qualified pool of candidates is culled to the selected few, ranked according to a number of factors with the final selection resting with the Mayor. We've all heard about the factions and cadres within the

departments and their respective alliances and conflicts. Being forced to choose from such an overly self-selected pool of candidates produces an environment where the political aspect of selection is actually more acute and more critical than with an open pool of candidates who are not encumbered with unnecessary baggage or favoritism obscuring their qualifications. Given a choice between two equally qualified candidates, does the possibility that an applicant may have worked on the Mayor's campaign influence the final decision? It shouldn't, but human nature is what it is. Again, NOTHING about this change precludes qualified, in-house candidates from being the best candidate and top choice.

3: The only people applying for the job will be ones looking to augment their pension or grab a second retirement or you'll only get applicants wanting to pump up their resumes.

This is a completely speculative argument that presupposes only negative motivations from those people applying from outside the department and likewise presupposes only altruistic motives on the part of in-house applicants. The responsibility for making sure that the right candidate is selected is incumbent on a thoughtful selection process that relies on both quantitative and qualitative evaluations. There are, surprisingly, qualified people in the world who may aspire to a new challenge and who may choose to want to spend their professional energies in our community. As for "padding the pension" -- this issue can be addressed through the employment contract process. The Chief's position shouldn't be viewed as a sinecure that is rotated through by soon to be retiring senior officers topping off their careers and pensions as a farewell gift by the community. Certainly officers who've risen through the ranks and contributed to the retirement scheme deserve to and would continue to participate as chief, however alternate arrangements can be made for outside applicants.

4: Outsiders can't appreciate our unique community and don't have the institutional knowledge to be able to effectively lead the department.

Another spurious argument suggesting again that the primary qualification for managing the department comes down to longevity and native birth. While I would agree that having local knowledge is a definite plus and should be a factor in the process, we are not discussing patrolmen, firefighters or superior officers on the streets, we're talking about the Chiefs professionally managing their departments, their forces within a command structure and their respective budgets. The idea that a professional senior career officer can't make the shift between different communities without disastrous result is ridiculous. In fact, having leadership that is not beholden to years of factionalized allegiance is a positive in my book and perhaps the needed tool to shake up the existing dynamic. We can't ignore that there may be candidates with different kind of experience possessing new or different methods of management that just may improve our departments.

We routinely reach beyond our city limits to fill our managerial positions with professionals who have established solid careers in other communities or the private sector -- in fact we embrace that breadth and diversity of experience as a positive attribute. It's important to keep in mind that infusing new and different perspectives and experiences into our public departments is, in my view, a goal worth pursuing. No one would seriously suggest that we require all management positions be subject to internal hire simply because we "owe" it to the rank and file to only promote from within. The chief positions should be treated no differently in this regard.

This Council is charged with representing the best interests of the residents of this community, not of unnecessarily protecting the individual career paths of a handful of officers. Maintaining the status quo with regards to the treatment of these two management positions is not in the best interest of the community at large. I understand that some officers may be concerned that opening the process to greater competition and accountability may increase the challenge in attaining that rank, but that should not be viewed as a bad thing in terms of making our best

efforts in ensuring that we choose the best candidate for the job. I remind you of the statistic above -- the vast majority of departments in the Commonwealth do NOT retain their Chiefs in the Civil Service system. We need to expand our perspectives, expand our willingness to make sure we are choosing the right leadership and we need the ability to adapt and transition with greater flexibility. I urge this Council to engage a proactive and positive change and support this motion and likewise I urge the Mayor to sign this and work with our legislators to pass this Home Rule Petition.

Councilor Foote stated we have fine police and firemen, and hopes this does not pass.

Councilor Ciolino had conversations with past chiefs on this and you can't blame all the ills of the City and the Police Department on the chief. Both chiefs don't agree that it should be an independent body because sometimes the job they have to do might not be in agreement with this Council or the Mayor and they have to do what the law requires. He can't support taking them out of civil service. We also need to wait and see what comes out of the audit.

Councilor Devlin feels this is great work by Councilor Grow. He feels the police and firemen do a great job; they put their lives on the line. We are just opening up the pool to get the best candidate only in this position. He saw this happen in Manchester a few years ago. We need to get a chief in place who is going to be there for a while, to manage and set standards. He does support this and encouraged other councilors to support this as well.

Councilor George also supports this. She feels the police and fire departments do a great job and this is only giving Gloucester more options. Over 250 communities do this and she feels it is the town's prerogative to get the best candidate for the job and that doesn't preclude an in-house candidate.

Councilor Hardy would like to take the politics out of it. Is it possible to get this on the ballot as a non-binding question? She agrees there should be a wide array of people serving. Anyone from the state of Mass can take that test. There are a lot of parameters for structuring the opening and posting of a job and she feels the citizens should make the decision.

Councilor Grow clarified one misconception; that he hasn't been attacking the police or fire departments. He has great respect for the job they and the chiefs do. The system has been in place for many years and this is about opening up choice and opportunity for this city. He finds it ironic that a deputy chief here was able to apply for a position in another town and he doesn't see why this town shouldn't have the same opportunity. This is about removing two positions from civil service and that is it.

Councilor Romeo stated the people decided years ago to make this civil service and she agrees the people should decide. She thought this was going to be worked on with the unions, so this wouldn't become political.

Councilor Ciolino feels this is too important an issue to decide without having the people it is going to affect here.

Councilor Curcuru has been talking to some of the unions and would like to have the opportunity to send this back to O&A.

MOTION: On motion of Councilor Curcuru, seconded by Councilor Romeo the City Council voted 9 in favor, 0 opposed to refer Order 08-04 back to Ordinances and Administration.

Discussion. **Councilor Curcuru** would like to send it back to O&A to take it out of Civil Service but keep it in house.

Councilor Grow appreciates the Councilor's efforts but feels that would guts the main intent to create a more open prospect for the possibility of other candidates out there.

Council President Tobey asked if we had a vacancy in one of these positions tomorrow and the Mayor was compelled to be under the civil service system is her only option to offer the position to the most senior officers in the department.

David Bain, Personnel Director stated the Mayor could offer a state wide exam and open it up to senior officers state wide.

Councilor Romeo asked can a chief be terminated from his position if he is civil service.

Mr. Bain replied it must be for just cause and is not an easy thing to do. Part of the reason for civil service, especially in the public safety aspect, is to eliminate the political aspect of that. An appointing authority would request either a state or local test.

Councilor Hardy asked can the appointing authority set parameters within the parameters of the test, such as the chief would come out of civil service and serve under a contract for a set number of years and if they were offered the job and didn't want it, then they could go back into civil service.

Mr. Bain replied there are different ways to go around this – that is the way it is done in Boston.

Council President Tobey would like to send it back to committee and directed O&A take this up in March as a single item agenda with Mr. Bain, Legal, and the Mayor joining us to have a comprehensive dialogue. He would like exploration of the parameters.

Councilor Grow would like O&A's assurance this will be dealt with in a timely manner.

Councilor Foote assured this will be brought up.

Council President Tobey stated a referendum can only be placed on a city election ballot, so we would have to wait until 2009 to put this on the ballot.

2. P&D: 02/13/2008

MOTION: The Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council that the City of Gloucester accept ownership of and full responsibility for the 720 foot long gravity sewer main and all existing laterals as shown on plan entitled "As Built Sewer Extension Plan; Western Avenue, Gloucester, MA" by Gateway Consultants, Inc., dated 8/30/04, a copy of which is attached hereto, with the following conditions:

1. WASP Corp. shall be entitled to a contribution in the amount of fifteen thousand dollars (\$15,000.00) per property if within eight (8) years of the date hereof the buildings located at 116, 118 and or 169 Western Avenue connect to the sewer main.
2. WASP Corp. remains liable for any required Infra-Red Method Treatment of the paved sewer trench line by Massachusetts Highway Department Road Opening Permit # 4-2003-0504; and
3. WASP Corp. and the City of Gloucester by its appropriate administrative staff coordinate the execution and exchange of any documents deemed necessary by the City of Gloucester legal office to effectuate the transfer of ownership and control of the WASP Corp. sewer main from WASP Corp. to the City.

Discussion. Councilor Hardy read a memo regarding the WASP sewer extension from Mike Hale, Engineering dated 2/12/08 into the record. (*copy in file*)

The private sewer extension application of Dr. John Wolfe was made in January 2000, under the May 6, 1998 *Rules and Regulations Pertaining to the Acceptance of Private Sewers*. Not until the February 1, 2000 *Rules and Regulations Pertaining to the Acceptance of Private Sewers*, was Section 16, *Transfer of Ownership to the City* established, which states the City will assume ownership and maintenance responsibility five years after the date of acceptance of the privately constructed sewer extension. The private sewer extension constructed by Dr. John Wolfe and the WASP Corp, DEP permit number W015218, was accepted by the City Engineer in August 2004. The most recent regulations governing private sewer construction limits the applicant's warrantee period to 18-months. All information regarding the construction and operation and maintenance of this privately constructed sewer, since the acceptance date, has been reviewed by the Engineering Department, and is considered adequate. The Engineering Department feels the

privately constructed sewer has performed satisfactorily and the transfer of ownership is warranted.

The sewer appears to have four (4) potential tie-ins that have not been made, to which the applicant should be eligible to collect pro-rata shares of the sewer project cost. The only pending issue is relative to the Massachusetts Highway Department Road Opening Permit, which was issued in the City's name. The permit states after the work is complete the grantee shall use the Infra-Red Method as a surface treatment. To date, the trench patch has held successfully and may warrant negotiations with MHD to waive this surface treatment. This issue is separate from the transfer of ownership of the sewer to the City, but should MDH require this action to fulfill the permit, the sewer applicant would be responsible.

MOTION: On motion of Councilor Hardy, seconded by Councilor Ciolino the City Council voted 9 in favor, 0 opposed that the City of Gloucester accept ownership of and full responsibility for the 720 foot long gravity sewer main and all existing laterals as shown on plan entitled "As Built Sewer Extension Plan; Western Avenue, Gloucester, MA" by Gateway Consultants, Inc., dated 8/30/04, a copy of which is attached hereto, with the following conditions:

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- 2. WASP Corp. remains liable for any required Infra-Red Method Treatment of the paved sewer trench line by Massachusetts Highway Department Road Opening Permit # 4-2003-0504; and,**
- 3. WASP Corp. and the City of Gloucester by its appropriate administrative staff coordinate the execution and exchange of any documents deemed necessary by the City of Gloucester legal office to effectuate the transfer of ownership and control of the WASP Corp. sewer main from WASP Corp. to the City.**

MOTION: The Planning and Development Committee voted 2 in favor, 1 opposed (Hardy) to recommend to the full City Council that Gloucester Marine Terminal, LLC is not in violation of their special council permit for a restaurant (Cruiseport Gloucester, LLC) at 6 Rowe Square, in accordance with Gloucester Zoning Ordinance Sec. 2.3.4 Business Uses #39 Restaurant.

Discussion. Councilor Hardy asked to strike the previous motion in its entirety and replacing it with the following new motion.

AMENDMENT: On motion of Councilor Hardy, seconded by Councilor Romeo the City Council voted 9 in favor, 0 opposed, that as in accordance with the Gloucester Zoning Ordinance Section 1.4.2.2(f) that the City Council hold a public hearing after proper notice and advertisement, no later than 30 days from the date of this motion, in the matter of: Gloucester Marine Terminal, LLC, for a Special Permit issued on November 9, 2004 and pursuant to section 2.3.4 #39 of the Gloucester Zoning Ordinance to operate a restaurant in a Marine Industrial Zone District at 6 Rowe Square Gloucester as shown on Assessor's Map 11, Lot 4, and located in the MI (Marine Industrial Zone District). Said hearing shall be to determine whether or not said special city council permit is in violation of the terms and conditions set forth in said permit including whether material representations made by the applicant in the 2004 public hearing have not been honored as required by the general conditions of the special permit. Further that written notice of said hearing be mailed by certified mail – return receipt requested - to all parties holding beneficial or financial interest and so named in the above mentioned matter to their last and usual address on record preceding this motion, and further to advertise for a public hearing.

Discussion on the amendment. Councilor Hardy feels we need to hold a public hearing on this to provide transparency.

Councilor Ciolino doesn't see anyone from Cruiseport here tonight and it bothers him to take this up without them being here tonight. He doesn't have a problem with this but feels it would be in the best interest of everyone concerned to talk about the issues clouding the special council permit. He will support this as long as it doesn't interfere with the business.

Councilor George voted in favor at P&D but after eating at the restaurant does think that this needs to be looked at to make sure they are in compliance with their special permit.

Councilor Foote agrees everyone should be in compliance and that a public hearing is in order.

Councilor Romeo also supports the amendment.

Councilor Curcuru agrees.

Councilor Tobey also supports this.

MOTION AS AMENDED: On motion of Councilor Hardy, seconded by Councilor Romeo the City Council voted 9 in favor, 0 opposed, that as in accordance with the Gloucester Zoning Ordinance Section 1.4.2.2(f) that the City Council hold a public hearing after proper notice and advertisement, no later than 30 days from the date of this motion, in the matter of: Gloucester Marine Terminal, LLC, for a Special Permit issued on November 9, 2004 and pursuant to section 2.3.4 #39 of the Gloucester Zoning Ordinance to operate a restaurant in a Marine Industrial Zone District at 6 Rowe Square Gloucester as shown on Assessor's Map 11, Lot 4, and located in the MI (Marine Industrial Zone District). Said hearing shall be to determine whether or not said special city council permit is in violation of the terms and conditions set forth in said permit including whether material representations made by the applicant in the 2004 public hearing have not been honored as required by the general conditions of the special permit. Further that written notice of said hearing be mailed by certified mail – return receipt requested - to all parties holding beneficial or financial interest and so named in the above mentioned matter to their last and usual address on record preceding this motion, and further to advertise for a public hearing.

MOTION: the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council that the City of Gloucester, as grantor and by this vote of the City Council of Gloucester dated February 26, 2008, pursuant to Code of Ordinances, Sec. 2-3(b)(3)(d) grants to MEC (National Grid) a temporary license in City land known as Solomon Jacobs Park located on Map 9, Lots 12, 14, 19, 25, to install 2 soil borings/monitoring wells, all as shown on a Plan prepared for National Grid by EECS, dated March 2007, entitled "Historical Structures and Sampling locations Harbor Loop Area." (MW-203 and MW 204). Said wells to be 2" in diameter. MEC/National Grid will be responsible to determine the location of any utilities and to perform said work accordingly as well as to take all precautions to avoid damage to or contamination of pavement and soils. At completion of all work, MEC/National Grid shall restore and regrade all areas to conditions prior to the work. This license shall be effective from the date of execution of the license by MEC through 2008 with necessary access for a total of 4 days; however, as a license it is revocable by the City at any time.

MOTION: On motion of Councilor Hardy, seconded by Councilor Romeo the City Council voted 9 in favor, 0 opposed that the City of Gloucester, as grantor and by this vote of the City Council of Gloucester dated February 26, 2008, pursuant to Code of Ordinances, Sec. 2-3(b)(3)(d) grants to MEC (National Grid) a temporary license in City land known as Solomon Jacobs Park located on Map 9, Lots 12, 14, 19, 25, to install 2 soil borings/monitoring wells, all as shown on a Plan prepared for National Grid by EECS, dated March 2007, entitled "Historical Structures and Sampling locations Harbor Loop Area." (MW-203 and MW 204). Said wells to be 2" in diameter. MEC/National Grid will

be responsible to determine the location of any utilities and to perform said work accordingly as well as to take all precautions to avoid damage to or contamination of pavement and soils. At completion of all work, MEC/National Grid shall restore and regrade all areas to conditions prior to the work. This license shall be effective from the date of execution of the license by MEC through 2008 with necessary access for a total of 4 days; however, as a license it is revocable by the City at any time.

MOTION: The Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the full City Council that the City of Gloucester, as grantor, and by this vote of the City Council of Gloucester dated February 26, 2008, pursuant to Code of Ordinances Sec. 2-3(b)(3)(d) grants to MEC (National Grid) a temporary license in City land known as the Fitz Henry Lane parking lot, Map 9, Lot 24, to install 3 borings/monitoring wells, all as shown on a Plan prepared by National Grid by EECS, Inc., dated January 2008, and as MW-210, MW-211, MW-212, entitled, "Historic Structures and Sampling Locations – Rogers Street." Said wells to be 2" in diameter. MEC/National Grid will be responsible to determine the location of any utilities and to perform said work accordingly as well as to take all precautions to avoid damage to or contamination of pavement and soils and to avoid interfering with public parking. At the completion of all work, MEC/National Grid shall restore and regrade all areas to conditions prior to the work. This license shall be effective from the date of execution through 2008 with necessary access for a total of 4 days; however, as a license, this grant is revocable by the City at any time.

MOTION: On motion of Councilor Hardy, seconded by Councilor Devlin the City Council voted 9 in favor, 0 opposed that the City of Gloucester, as grantor, and by this vote of the City Council of Gloucester dated February 26, 2008, pursuant to Code of Ordinances Sec. 2-3(b)(3)(d) grants to MEC (National Grid) a temporary license in City land known as the Fitz Henry Lane parking lot, Map 9, Lot 24, to install 3 borings/monitoring wells, all as shown on a Plan prepared by National Grid by EECS, Inc., dated January 2008, and as MW-210, MW-211, MW-212, entitled, "Historic Structures and Sampling Locations – Rogers Street." Said wells to be 2" in diameter. MEC/National Grid will be responsible to determine the location of any utilities and to perform said work accordingly as well as to take all precautions to avoid damage to or contamination of pavement and soils and to avoid interfering with public parking. At the completion of all work, MEC/National Grid shall restore and regrade all areas to conditions prior to the work. This license shall be effective from the date of execution through 2008 with necessary access for a total of 4 days; however, as a license, this grant is revocable by the City at any time.

Councilor Grow referred to the P&D minutes, under other business specifically as it relates to the Mayor and the Community Development Director preferring we don't hold joint meetings. **Councilor Hardy** stated her understanding of the Mayor's point is that although we would like to meet on the harbor plan at this time – they are not ready. **Councilor Grow** asked for informal dialogue between P&D and Planning Board and we should be having that dialogue on an ongoing basis.

2. B&F: 02/14/2008

MOTION: The Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the full City Council that the City Auditor establish a Solid Waste/Recycling Revolving Account with a cap of \$3,500 from the proceeds from recyclable materials and that expenditures be limited to "ordinary" expenditures that support the recycling program.

Discussion. **Councilor Grow** was a little reluctant to recommend this but the committee felt this was an appropriate opportunity to allow Ms. Middleton to invest in the recycling program.

MOTION: On motion of Councilor Grow, seconded by Councilor Hardy the City Council voted 9 in favor, 0 opposed that the City Auditor establish a Solid Waste/Recycling Revolving Account with a cap of \$3,500 from the proceeds from recyclable materials and that expenditures be limited to “ordinary” expenditures that support the recycling program.

MOTION: The Budget and Finance Committee voted 3 in favor, 0 opposed to recommend to the full City Council that the City Auditor establish an Office Supply Account in the Mayor’s DAC.

MOTION: On motion of Councilor Grow, seconded by Councilor Hardy the City Council voted 9 in favor, 0 opposed that the City Auditor establish an Office Supply Account in the Mayor’s DAC.

Councilor Grow stated B&F also conducted a preliminary interview for City Auditor and will be holding a second interview this Thursday at 6 p.m. in open session. This is a second interview with one candidate.

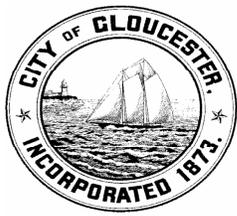
COUNCILLOR’S REQUESTS OTHER THAN TO THE MAYOR

Councilor Romeo spoke about seniors who are receiving co-payments for prescriptions that have in some cases tripled. Seniors didn’t realize they were sent renewals. She also stressed the need for those turning 65 to apply for Medicare even though they are still working. They may apply three months prior and have until three months after they turn 65 to apply and if they don’t, they will be penalized until they decide to retire.

It was moved and seconded to adjourn the meeting at 10:45 p.m.

Respectfully submitted,

June Budrow
Clerk of Committees



GLOUCESTER CITY COUNCIL 2008

COMMUNICATION

RECEIVED: 03/04/2008

NUMBER: COM2008-005

NUMBER OF PAGES: 7

SUBJECT: Request to extend Poet Laureate deadline

ACTION: File

REQUEST FOR EXTENSION

(From April 1st, as requested by Council, to May 15th)

To Gloucester City Council:

The Committee for the Arts has carefully researched and prepared the attached documents regarding the application process for the selection and naming of Gloucester's next Poet Laureate.

The Committee voted to approve the documents at last night's meeting and because of the time necessary to have them available to the public, we find it necessary to ask for an extension of the deadline for submitting the recommendation to Council.

We will have them readily available in a variety of web sites and physical locations no later than March 15th. We then feel that the applications should be made available to the public for a month, (April 15th). We would then need to add an additional month for the panel process to take place, which would have the recommendation in your hands by May 15th.

Thank you so much for your consideration on this matter.

Judith Hoglander,
Chair, Committee for the Arts



CALL FOR APPLICATIONS

CITY OF GLOUCESTER POET LAUREATE

The City of Gloucester is accepting applications for the post of Poet Laureate.

Deadline for applications: April 15th, 2008

The Poet Laureate is dedicated to building community through poetry and encouraging a love of poetry among people of all ages.

DUTIES AND RESPONSIBILITIES:

The duties and responsibilities of the Poet Laureate of Gloucester will depend primarily on the candidate chosen but basically they should; advocate for poetry, language and the arts; promote and make all people, of all generations, in all segments of our society more aware of the art of creative writing, particularly in the craft of poetry; assist all poets by increasing the reading, writing and publishing of this art for the greater enjoyment and appreciation of the craft.

The Poet Laureate is also requested to provide a brief annual progress report to the Committee for the Arts.

ELIGIBILITY:

Applicants must be at least 21 years of age.

Reside in the City of Gloucester for a minimum of one year prior to nomination.

Display a strong commitment to the community.

Be active as a published poet.

Be capable and enthusiastic to fulfill duties.

Note: All candidates are eligible regardless of race, gender, belief, national origin, sexual orientation or physical ability.

TERM OF SERVICE:

The term of service for the Poet Laureate is two years from the date of appointment.

If the Poet Laureate cannot fulfill his/her term, the Laureate Selection Panel shall select a new Poet Laureate to complete the term.

A Poet Laureate may serve two consecutive terms upon reapplication and approval through the panel process.

APPLICATION REQUIREMENTS:

Completed and Signed Application Form with required submissions

A Curriculum Vitae or Resume

Resident of Gloucester for one year

Three (3) complete poems of 3 pages or less

NOTE: All entries must be typewritten or word-processed in readable font size. Photocopied poems from publications are acceptable. Any work submitted will not be returned.

Mail or deliver complete application packages to:

**Committee for the Arts – Poet Laureate
Mayor's Office
Gloucester City Hall
9 Dale Avenue
Gloucester, MA
01930**

SELECTION PROCESS:

A call for Applications will be distributed through various print and online media.

A Laureate Selection Panel drawing from members of the area's literary community and one member of the Committee for the Arts, will select a finalist and an alternate from among the applicants. This name will be submitted to the Gloucester Committee for the Arts. The recommendation will then be forwarded to the Mayor for approval and recommendation to City Council. During the selection process, the Panel may or may not ask for an interview with the final candidates.

DEADLINE:

Submissions must be received in the Mayor's office, Gloucester City Hall by April 15th, 2008. Please note: this is not a postmark date.

Applicants will be notified no later than June 1st, 2008.

INTELLECTUAL PROPERTY:

All writings, notes, and original materials produced during the tenure of the Poet Laureate shall remain the property of the Poet Laureate.



POET LAUREATE OF GLOUCESTER

APPLICATION

Name _____

Address _____

City _____ State _____ Zip _____

Phone (Day) _____ Evening _____

E-mail _____ Website _____

Note: Add additional sheets as necessary for following questions.

1) List any memberships in literary organizations _____

2) Publications where your work has appeared _____

3) List Literary Awards and Dates Awarded _____

4) In 100 words or less, why are you interested in the post of Gloucester's Poet Laureate and what activities are you interested in helping to organize? In particular, how would you educate young people and others in the mechanics, nuances and beauty of the literary arts? _____

IMPORTANT -

ξ Please attach (3) complete poems of 3 pages or less, written within the last 10 years. Submissions should be printed in a readable size font. If possible, include a sample having to do with a civic theme or a Gloucester –related theme. Be sure the author's name is on each attachment.

ξ Applicant should also include an updated resume not to exceed 2 pages.

DEADLINE AND SUBMISSION:

Applications must be received at Mayor's office, Gloucester City Hall, no later than April 15th, 2008.

Incomplete and late applications will not be considered.

Send or deliver complete application to: Committee for the Arts – Poet Laureate, Mayor's Office, Gloucester City Hall, 9 Dale Avenue, Gloucester MA 01930

I, _____, authorize my name to stand for nomination for the position of Poet Laureate of Gloucester, MA, and that I have resided in Gloucester for the past year. I also verify that the representations made in this application are true and complete and that the work samples submitted with my application are my own work.

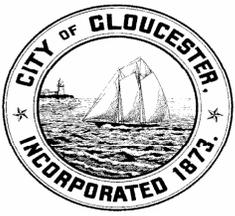
Applicant's signature: _____

Date: _____

SUGGESTED ACTIVITIES FOR THE GLOUCESTER POET LAUREATE

**These are not requirements, but intended to stimulate thought.
The poet laureate may choose to devise his or her own initiatives.**

1. To raise public awareness of poetry through readings, appearances, workshops, and other public displays of poetry.
2. To arrange for poet in the school appearances/readings in middle, junior and senior high schools or other projects to encourage students in the art of poetry.
3. To write a monthly poetry column, in which reviews of recent poetry books, individual poems, or other poetry issues are explored.
4. To organize poetry workshops at local libraries.
5. To create poems for specific occasions.
6. To help organize an annual city-wide poetry event.
7. To select poems for display in public spaces.
8. To create a poetry program/contest for seniors

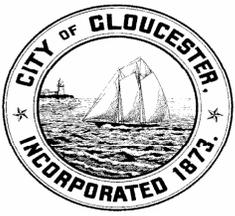


**CITY OF GLOUCESTER 2008
CITY COUNCIL ORDER**

ORDER:	#CC2008-008
COUNCILLOR:	Philip Devlin

DATE RECEIVED BY COUNCIL:	03/04/2008
REFERRED TO:	
FOR COUNCIL VOTE:	03/18/2008

That the City owned property behind the Magnolia fire station (Shore Road) be dedicated to Anton J. Muller of 3 Flume Road for recognition of his service to the City of Gloucester and Magnolia.



CITY OF GLOUCESTER 2008 CITY COUNCIL ORDER

ORDER:	#CC2008-010
COUNCILLOR:	Jackie Hardy

DATE RECEIVED BY COUNCIL:	03/04/2008
REFERRED TO:	O&A
FOR COUNCIL VOTE:	

THAT:

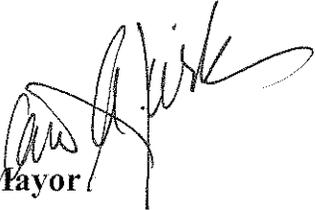
Pursuant to Section 7-1. "Reorganization Plans by City Council" of the Gloucester City Charter, The City Council, in cooperation with the Administration, initiate a reorganization plan of the Civil Defense Department as laid out in Article VII "Civil Defense" Sections 2-650 through 2-660 of the Gloucester Code of Ordinances to effect changes necessary to bring this Department more in line with today's emerging and changing local and global needs and reestablish it as the "Office (Department or Division) of Emergency Management."

Said Reorganization plans shall include, but not be limited to, review and or establishment of the duties, salaries and/or stipends of the Director of Emergency Management (which would replace the current department of Civil Defense) its volunteers, staff and/or employees, and identification and implementation of a funding source so as to allow the newly organized office (department or division) to operate to the full extent necessary to provide each and every citizen of this city regardless of address or distance away from the dispatching of said emergency services, with the necessary emergency products and services that may be needed during a crisis and/or emergency situations.



CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TO: City Council

FROM: Carolyn A. Kirk, Mayor 

DATE: March 3, 2008

RE: Mayor's Report for the March 4, 2008 City Council Meeting

Councilors,

My apologies for the lateness in getting the Mayor's Report in your hands. It proved quite a challenge to deliver back-to-back Reports for City Council meetings two weeks in a row.

There are two advisories that I present for your information only:

1. **Update on the Dispute with Essex Regarding the Intermunicipal Agreement (IMA).** Please see memorandum enclosed (**Enclosure 1**).
2. **FY'08 Budget Challenges:** The Administration is in the process of compiling all of the trouble spots in the FY'08 budget and searching for solutions. This work is incomplete at this time, however, I feel the City Council should be made aware of the trouble spots. Those that are known today are summarized in a memorandum enclosed (**Enclosure 2**).

The only matter requiring your action is as follows:

Enclosure 3 is a Special Budgetary Transfer Request which has been prepared at the request of the Personnel Department and the Audit Department. This transfer is to fund contractually obligated retirement/sick buy back to date. *Please refer this matter to the Budget and Finance subcommittee for review and approval.* Barry Boyce, Interim City Auditor, and David J. Bain, Jr., Personnel Director, will be available to answer questions and provide further information as required.

Responses to Council Requests:

Enclosure 4 contains responses to Council Requests to the Mayor from the February 12, 2008 Council Meeting.

ENCLOSURE 1

City Hall
Nine Dale Ave
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
ckirk@ci.gloucester.ma.us

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TO: City Council

FROM: Carolyn A. Kirk, Mayor 

DATE: March 3, 2008

RE: Essex Dispute with Intermunicipal Agreement (IMA)

On December 10, 2007, the City of Gloucester received a formal protest regarding the City's method of calculating the Town's sewer bill from the Town of Essex to which the city never formally responded. The letter further stated that their Counsel, Gregg J. Corbo of the firm Kopelman & Paige, has been authorized by the Town to file suit in Superior Court if a resolution to the matter could not be found within 30 days of the date of the letter.

In addition, the Town would like reimbursement of the alleged overcharges totaling \$95,289.22 as well as a go-forward reduction in all future bills.

I have met with Essex Town Administrator Brendhan Zubricki along with members of the Essex Board of Selectman three times to discuss the City's response. I also retained the Boston law office of Mackie Shea and O'Brien to evaluate and advise on the claim by the Town of Essex. The evaluation is complete, and remains Confidential and Privileged Attorney - Client Communication, and will not be released to the Town, the City Council or the media.

The City's position is as follows:

Some vague language in the IMA has left the door open for a challenge to the IMA such as the one launched by Essex. Litigation would probably entail significant discovery into the intention of the parties in structuring the payment provisions of the IMA. Costs of litigation are estimated to exceed \$100,000.

Despite the vulnerabilities to the City of Gloucester in some of the contract language, I believe that the City of Gloucester would prevail should the case go to trial. Because of the impact on billing to Essex over the life of the IMA which is 25 years from inception (June 6th, 2000), the City of Gloucester is prepared to defend the IMA.

To continue serving its Essex customers, the City must implement the CSO improvements. Gloucester and Essex have no choice but to comply with the Modified Consent Order, and therefore to pay the costs associated with compliance. As the IMA recognizes, the city may incorporate capital compliance in its rate structure, to which the Town along with all the other users is subject.

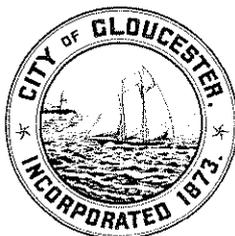
By entering into the IMA, the Town agreed that capital costs would be apportioned only if betterments were assessed. The increase in sewer rates may be repugnant to the Town, but when it agreed to the IMA, it agreed to pay the rates that reflect the debt service for the capital costs involved here and for the costs that Gloucester incurs for compliance with EPA orders.

The customers of the City and the Town are all best served by our agreeing to disagree on this matter rather than to pursue costly litigation.

In addition, we should focus our efforts together on the pressing need to reconfigure our capital obligations to maximize the fruits of our environmental efforts and gain the state and federal aid that will be necessary to fulfill them.

ENCLOSURE 2

City Hall
Nine Dale Ave
Gloucester, MA 01930



TEL 978-281-9700
FAX 978-281-9738
ckirk@ci.gloucester.ma.us

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

TO: City Council
FROM: Carolyn A. Kirk, Mayor
DATE: March 3, 2008
RE: Trouble Spots in FY'08 Budget

The purpose of this Memorandum is to update the City Council on the status of the FY'08 budget. There are a number of "hot spots" summarized below.

EXPENSES

DEPARTMENT	EXPOSURE
Mayor's Office – MMA Dues	\$ 5,000
Auditing – External Auditor's Invoice	\$ 9,000
Personnel – Health Insurance Claim	\$ 426,847
Fire Dept – Overtime	Approximately \$ 100,000
Fire Dept – Personnel	\$ 20,000
Fire Dept – Lorraine Fire Operations Costs	\$19,478
Purchasing – Postage and Advertising	\$ 9,600
DPW – Utilities, Fuel *(excludes snow and ice deficit)	\$ 95,000*
Police Dept – Beach and Court Overtime	\$40,001
Veterans Services – with anticipated increase in caseload	\$ 60,000
Pension – budget shortchanged	\$23,544
TOTAL	\$808,470
Retirements – We anticipate at least one and possibly four retirements which will exhaust the Personnel Sick Buy Back account	NOTE: As is the employee's right, retirements can happen at a moment's notice and are difficult to plan and budget for.

Revenues so far are on track for the fiscal year. The Austerity program is generating savings which will provide some relief to priority areas. The Administration is aggressively pursuing solutions to these budget problems. The work is incomplete at this time. Recommended transfers will be forthcoming from the Administration if necessary. It is important that the City Council understand the fiscal circumstances facing the City today regarding the FY'08 budget.

ENCLOSURE 3

**City of Gloucester
Special Budgetary Transfer Request
Fiscal Year 2008**

FEB 21 2008

*****INTER-DEPARTMENTAL REQUIRING CITY COUNCIL APPROVAL*****Requires 6 Votes

DEPARTMENT REQUESTING TRANSFER: _____

PERSONNEL

TRANSFER # 08

26

DATE: 2/21/2008

BALANCE IN ACCOUNT

\$167,086.00

(FROM) PERSONAL SERVICES ACCOUNT#:

Unifund Acct #

101000.10.920.59600.0000.00.000.00.051

(FROM) ORDINARY EXPENSE ACCOUNT#:

Unifund Acct #

Spec.Res.-Sal/Wage, Retire./Sick Buyback
Account Description

EXPLANATION OF SURPLUS:

Reserve for sick buy back

(TO) PERSONAL SERVICES ACCOUNT#:

Unifund Acct #

101000.10.152.51970.0000.00.000.00.051

(TO) ORDINARY EXPENSE ACCOUNT#:

Unifund Acct #

Personnel-Sick Buy Back
Account Description

ANALYSIS OF NEED(S):

To fund Retirement/Sick Buy Back to date

TOTAL TRANSFER AMOUNT \$57,276.78

NEW BALANCE IN ACCOUNTS AFTER TRANSFER

FROM ACCOUNT: \$109,809.22

TO ACCOUNT: \$0.00

APPROVALS:
DEPT. HEAD:

Wayne Bay

DATE: 3/3/08

ADMINISTRATION:

M.H. Fisk

DATE: 3/3/08

BUDGET & FINANCE:

DATE: _____

CITY COUNCIL:

DATE: _____

ENCLOSURE 4

TO: Mayor Carolyn Kirk
FROM: June Budrow, Clerk of Committees
RE: Action items for the Council meeting of 2/12/08

COUNCILLOR'S REQUESTS TO THE MAYOR

08-18 (Grow/Romeo) Request the Mayor investigate and implement a college level internship program for various city departments. **In process. Mayor Kirk was an invited guest at the Richard J. Phelps City Fair 2008 Forum and Dinner which was held at the John F. Kennedy School of Government, Harvard University, on February 28, 2008. She met with several students regarding internships in the City of Gloucester.**

08-19 (Grow/Tobey/George) Request that the Mayor research, and implement a senior citizen public service tax abatement program. (see attachments SENIORIGR.pdf and SENIORWORK.pdf) **In process. Jim Duggan will follow up with Coral Grande to structure a proposal.**

08-20 (Ciolino) Request the Mayor provide a catalogue of the art work now located in the Legion Building; if no catalogues exist to please have one created and provide a copy to the City Council. **In process. An initial tour of the Legion Building by a member of the Committee for the Arts has been conducted with a follow-up visit to be scheduled.**

08-21 (Curcuru) Request the Mayor instruct DPW to repair the one way section of Granite Street which runs parallel with Blynman Avenue. There are many potholes that cars try to avoid, endangering high school kids as they walk there on their way home from school; it is a very unsafe situation. - **Complete**

08-22 (Grow) Request the Mayor instruct DPW to spread some salt along St. Anthony's Lane to dissipate the ice sheets along this road and when feasible to fill the numerous potholes. - **Complete**

08-23 (Grow) Under the provisions of Section 2-6 (a) of the Charter it is requested that the Mayor provide, in the next Mayor's report, a copy of the recently released State Department of Veterans Services visit report/audit; an explanation of the conclusions of the report and the measures being taken to rectify any concerns raised. Additionally it is requested that the Mayor submit an explanation on the potential fiscal impact to the City and the mission of providing services to veterans in the community and any other information which may be relevant to this issue.

Section 2-6. Council Access to Information.

(a) In General -- The city council may make investigations into the affairs of the city and into the conduct and performance of any city agency, and for this purpose may subpoena witnesses, administer oaths, and require the production of evidence.

This report was forwarded to the Council as an Addendum to the Mayor's Report for the February 12, 2008 City Council Meeting.

08-24 (Curcuru) Request the Mayor instruct the DPW to repair the pot holes on Foster Street. There is one at the Washington Street end on the right that is about 6 feet by 3 feet and is barely able to be avoided. - **Complete**

08-25 (Foote) Request the Mayor contact the National Offices of the American Legion to request assistance in keeping Gloucester's American Legion open. **In process. Letter to go out from Mayor's office.**

08-26 (Hardy) Request the Mayor to instruct the DPW to immediately remedy the **severe flooding** (wash-out) situation in Lanesville at the Rockport end of the intersection of **Langsford and Washington Streets (# 1182)**. This is a serious impediment to the safety of traffic and there is no access at all by pedestrians on foot.

This area froze last year in these conditions and there was a police cruiser that was severely damaged and taken out of commission - not to mention an officer injured.

This situation should be considered an emergency since the flooding has necessitated the complete closure to traffic (both directions) due to the depth of water. Neighbors feel that this has gone on for many years and now the roadway is at the point that if something is not done to maintain what little infrastructure is under the pavement, that there will be nothing to rebuild from.

The culvert appears to be completely blocked (again) and the flooding which is causing the roadway to pitch into the marsh is washing the roadway infrastructure away. The level of the water backed up in the marsh has killed the trees and they are now falling in creating additional problems. Additionally the huge slabs of upright granite, which act as a traffic barrier, are falling into the marsh.

There was a DPW/Engineering study that was proposed after a site visit with the Administration and the neighbors in 2007 regarding this matter - status please. **–The Engineering Division has been instructed to inspect the flooding and culvert to determine if any blockage has occurred. Preliminary investigations seem to indicate that water levels in the wetlands have risen due to restriction of flow caused by the narrowing of an old stone culvert located at 1206 Washington Street. A report will be generated by Engineering to suggest a possible correction to the problem.**

08-27 (Hardy) Request the Mayor request the DPW to repair **pot holes** at the following locations in **Ward 4:**

These are large enough to cause property and or personal injury:

Potholes from Grant Circle down Route 127/Washington Street to the Bayview Fire Station:

Listed by address and North or South bound travel – on Washington Street:

262 South
 291 North
 301 North
 305 North
 318 Middle of road
 324 South
 Two large holes between Veterans Lane and Pirimi Lane North
 358 South
 366 North
 381 North
 428 South Approximately 6 foot area of pavement missing
 439 North Paved on 2/6 and already losing pack
 In front of Seeall Street North
 448 North
 457 North (after address)
 477 North
 480 South

490 South
 518 North
 519 North
 596A South
 624 South
 650 South
 Northbound after The Willows
 Northbound prior to Essex Greenbelt
 Northbound on the Causeway bridge: Multiple potholes varying in size from Manhole cover dimension to approx 4 inches across, hotbox on the Causeway 2/6 patching holes randomly, span of five holes all within arms reach of each other, 3 filled 2 left wide open and empty.
 704 North
 711 North
 716 North
 720 North
 731 North pothole partially patched
 Bittersweet Road Northbound up to 827 at least 6 very large holes in the road
 One large prior to Bennett St Northbound and Centerline
 840 North
 846 Southbound
 869 Northbound absolutely huge
 Ames Drive 3 very large holes middle of road
 884 Southbound
 888 Southbound

Note that this is a partial listing from the residents of Ward 4 – additional locations to follow. – **The entire length of Washington Street has been identified as a priority maintenance program. Work crews will provide constant repairs to this section of roadway throughout the remaining season to minimize the severity of the conditions along Washington Street. In addition cost estimates for the reconstruction/repaving of this section of Washington Street will be developed for future funding consideration.**

08-28 (Ciolino) Request the Mayor instruct the DPW to repair the following areas:

1. Can you please send the pot hole truck to Nautilus Road, big crevasse of a pothole.
2. Thatcher Road by the Rockport Road, large standing puddle. Maybe a street drain is plugged up? Please have a crew check it out.
3. Sumner Street in front of number 58, large crack/hole in street.
4. Roger Street, near Rose Baker, temporary patch is coming apart.

Work orders have been created to address these requests.

08-29 (Grow) Request the Mayor instruct the DPW to please add E. Main Street to the pothole list -- there are numerous areas of substantial problems and being a heavily traveled road needs some immediate attention. – **A work order has been created to give East Main Street immediate attention.**