

SPECIAL CITY COUNCIL MEETING
Tuesday, August 10, 2010 – 6:00 p.m.
1st Floor Council Conference Room – City Hall

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

Absent: Councilor Tobey

Also Present: Mayor Carolyn Kirk; Linda T. Lowe; Michael Hale; Jeff Towne; Kenny Costa; David Anderson; Val Gilman

The meeting was called to order at 6:00 p.m.

Flag Salute & Moment of Silence

1. Memo from Jim Duggan, CAO re: Stabilization Fund Expenditure Request (Refer to B&F)

By unanimous consent, the City Council referred the matter of the Memo from Jim Duggan, CAO re: Stabilization Fund Expenditure Request to the Budget & Finance Committee

Statement submitted via email by **Councilor Bruce Tobey** (copy on file):

“There are many deserving capital needs that we might tap the Stabilization Fund to fulfill -- but we've very rarely done so given the importance of that Fund to the maintenance of a strong bond rating for the City. For the record: I am loathe to support this proposal as it is currently framed given the vital importance of the Stabilization Fund and its integrity, and numerous other councilors have felt the same way in the past. As a result, the administration and the city auditor have always looked to exhaust every possible alternative funding source when the matter of addressing such needs has arisen.

These alternatives have run the gamut from reprogramming unexpended (and unneeded) balances from the appropriations for other capital projects to identifying monies that can be reallocated in the operating budget for the current year. I ask that the administration (both city and school) and the city auditor jointly conduct and present such an analysis to the council on Thursday evening, in the hope that an alternative funding approach can be identified. Furthermore, I would ask for a plan to back-fill the Stabilization Fund should this request be approved (and I reject out of hand the notion that we'll sell some buildings or some land and do it that way -- that promise has been made and broken too many times in the not-so-distant past).”

By unanimous consent, the City Council referred the matter of the Memo from Jim Duggan, CAO re: Stabilization Fund Expenditure Request to the Budget & Finance Committee.

Councilor Hardy asked for unanimous consent by the Council to refer a Community Emergency Response Team (CERT) grant application to the Budget & Finance Committee for review at their meeting this evening that follows this City Council meeting. This will help local police and fire in times of need. This application is for FEMA and MEMA money. It is an organization established by the Federal government, started by FEMA and through it, MEMA. Many other states have CERTS programs. The organization is in the process of putting in their standard guidelines. They're asking B&F to allow the application to go in so they can be considered for funding. August 20, 2010 is the deadline for submission (by mail only - electronic submissions not accepted). The CFO will handle the finances and audited by him. There is an organization in the state. This is an organization. This is funneled through the CFO and the Fire Department.

Councilor Theken asked if the City has any liability.

Mayor Kirk noted the similar to Red Cross in how the organization functions. They have training and understanding of protocol. If you're trained in CERT you get to wear the shirt you can call in that trees are down, direct traffic in an emergency; they work in conjunction with emergency services. The money is for training for volunteers.

Councilor Theken expressed concern that these CERT volunteers might need to come under the heading of Special Municipal Employees and if that were the case, then felt the matter would need to go before O&A Committee and asked for a clarification.

Linda Lowe, City Clerk, thought they may wish to ask the General Counsel what the status of these volunteers would be relates to the definition of special municipal employee, which gives protection for ethics considerations.

Councilor Theken wanted to make sure the City is covered. She thought otherwise the program was great.

By unanimous consent the City Council asked for the General Counsel to offer an opinion on the matter of whether CERT volunteers would need to be considered Special Municipal Employees.

Councilor Hardy told the Councilors that although the grant applied for does not require a match and does not obligate the City for an extended period, it has been the practice of B&F to request applications be reviewed prior to submission. Because the date is fast approaching this item needs to be reviewed by B&F as soon as possible. All documentation was forwarded to the Council prior to the evening's meeting.

Councilor Theken asked for the City Clerk draft a letter for objecting to the proposed closing of the Gloucester District Court from the City Council. She spoke of the difficulty of some of the issues facing Gloucester, in particular with juvenile issues. She explained she will send a separate letter from her place of work.

Val Gilman, Chair of the School Committee stated there was a public hearing the next day, which she, the Mayor and Ms. Teixeira would attend regarding the proposed closure.

Councilor Whynott requested that that matter of the Stabilization Fund be put on the agenda for the Tuesday's City Council meeting. He felt that to be fair.

Councilor Ciolino felt also that was fair and all nine Councilors should be in attendance to consider a matter as important as a withdrawal from the Stabilization fund, and is standard.

MOTION: On motion by Councilor Whynott, seconded by Councilor Ciolino, the City Council is to take up the matter of Memo from Jim Duggan, CAO re: Stabilization Fund Expenditure Request be taken up at the next City Council meeting of August 17, 2010 under Budget & Finance Committee Report.

Discussion:

Councilor McGeary stated that would cancel the City Council meeting scheduled for Thursday and that would then go to the Tuesday meeting under Committee reports.

Councilor Hardy responded they would move into a Special B&F meeting after this special Council meeting. There would be a site visit to the schools the following day.

MOTION: On motion by Councilor Whynott, seconded by Councilor Ciolino, the City Council voted 7 in favor, 0 opposed, to take up the matter of Memo from Jim Duggan, CAO re: Stabilization Fund Expenditure Request be taken up at the next City Council meeting of August 17, 2010 under Budget & Finance Committee Report.

Ms. Gilman stated that does help the School Committee out and allows them to bring it to their meeting this Thursday, August 12, 2010 at 5 p.m. to discuss the matter and vote on it.

[Councilor Mulcahey entered at 6:13 p.m.]

Councilor Theken requested if Mr. Hale could take her around the schools on Thursday morning due to work commitments on the day of the scheduled site visit, as did Councilor Whynott which Mr. Hale stated he would give them a tour Thursday morning as an alternative.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:15 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTATION/ITEMS SUBMITTED DURING MEETING: None.