

GLOUCESTER CITY COUNCIL MEETING

Tuesday, May 24, 2016 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Joseph Ciolino; Vice Chair, Steven LeBlanc, Jr.; Councilor Melissa Cox; Councilor Paul Lundberg; Councilor Valerie Gilman; Councilor Scott Memhard (arrived at 7:05 p.m.); Councilor Sean Nolan; Councilor James O’Hara; Councilor Joseph Orlando, Jr.

Absent: None.

Also Present: Mayor Sefatia Theken; Joanne Senos; Kenny Costa; Jim Destino; Chip Payson; Dan Smith; John Dunn; Mike Hale; Stephen Winslow; James Pope

The meeting was called to order at 7:03 p.m. The Council President announced that this meeting is recorded by video and audio in accordance with state Open Meeting Law.

Flag Salute & Moment of Silence.**Oral Communications:**

Karen Favazza Spencer, member of the city’s Cable TV Advisory Committee (CTAC) announced that the membership of the CTAC has done all they can at this time given the primacy of the Regional Cape Ann Committee led by Economic Development Director, Sal DiStefano, which includes representatives from Rockport, Essex, Manchester, Cape Ann TV and legal counsel and are submitting their collective resignations. She said the CTAC is recommending that the Council acknowledge the Regional Committee (formed ad hoc in 2014) as the only group that is involved in the Comcast contract renewal process slated for March 2017. She reviewed briefly the recommendations of the resigning CTAC members (full written statement placed on file).

Presentations/Commendations:

1 of 2: Update on Beauport Hotel Project – Attorney John Cunningham

Attorney John Cunningham, representing Beauport Gloucester LLC, introduced Sherree Zizik and Lee Dellicker of Windover Construction were also present.

Ms. Zizik expressed her gratitude as she reported that the Beauport Gloucester Hotel readies for its opening, and said it is the most beautiful hotel they could have built with a 150 member staff ready to serve their guests and make the city proud. She extended her thanks to her legal team, the Council, the Mayor and the city staff who worked with them to see the project to fruition. She said the hotel is anticipated to open very soon in June.

Mr. Delliker, Windover Construction President and owner, thanked Councilor Cox for liaising with the hotel’s neighbors during the construction of the hotel. He pointed out that the city undertook a very complicated infrastructure program in the Fort at the same time a complicated building project was accomplished, and reported it went very well. the Building, Electrical and Plumbing Inspectors have been through the hotel on their inspections have been done and it is expected that from the building code perspective, those inspections will be signed off by the end of this week, he said. A power point presentation (placed on file) was shown with photographs of the hotel from many interior and exterior aspects as of today’s date which highlighted that most of the hotel but for finishing touches and furniture to be moved in is complete.

He noted the Special Council Permit (SCP) conditions have been met. He displayed a 3-ring binder of documentation to the Council saying that documentation will be submitted to the Building Inspector by week’s end and the same documentation packet will be forwarded to the Planning & Development Committee. He advised that the P&D Committee will hear about the completion of the project very shortly, and then the Council will vote to acknowledge the SCP conditions are met. A soft opening is anticipated for the hotel June 11 then a hard opening of the hotel on June 15 once having confirmation that all conditions are met through the Council and from the Building Inspector.

Councilor LeBlanc extended his congratulations on the finishing of the hotel project saying that the hotel fits nicely into the city skyline. He said he looked forward to the hotel’s opening. **Ms. Zizik** said that there will be a hotel ribbon cutting in September and at that time they will open the hotel to the city with a grand celebration. She again extended her thanks to the Council.

Councilor Cox, in whose ward the project was constructed, thanked Ms. Zizik and Mr. Delliker for being great partners in keeping the flow of communications open, and added her thanks to the Public Works Department for their help in getting the infrastructure work done as well as keeping the Fort residents well informed.

Councilor Gilman noted that from the water the hotel looks lovely, and said that a friend's daughter has already booked a wedding at the nearly opened hotel.

Council President Ciolino credited former City Councilor Paul McGeary, who was in attendance, with his work on the Special Council Permits for the hotel helping to shepherd it through the permitting process.

2 of 2: North Gloucester Woods Project Update – Stephen Winslow, Senior Project Manager, Community Development Department

Mr. Winslow highlighted the following information on the North Gloucester Woods Project which encompasses just under 1,000 acres comprised of 99 parcels, privately owned, municipally owned and those parcels which ownership has been difficult to ascertain. This area is crisscrossed with about 16 miles of trails and old quarry rail tracks and roads that many residents use for hiking and other recreational pastimes. The importance of access to this significant open space, planning, assessing, preserving and protecting it was expressed and some of the ways in which the city can work towards creating a North Gloucester Woods Reservation were touched upon.

Mr. Winslow also briefly noted access point, private ownership and unknown ownership issues to be overcome in working towards the creation of a reservation for the protection of the North Gloucester Woods. He said ultimately the study recommended that the city moves to protect a core reservation in the North Gloucester woods comprised of city-owned parcels, owner unknown parcels, conserved lands (owned by the Essex County Greenbelt Association and the New England Forestry Foundation), and several privately owned parcels considered critical to the integrity and continuity of the reservation. He acknowledged the community input that helped to move this entire project forward (Power Point presentation placed on file).

Councilor Gilman said she envisioned the next step would be to put in a zoning definition of open space through appropriate city boards and the Council. She pointed out a great deal of CPA funds have gone into open space and recreation in the city, and it is time to pull it towards protection of the trails and acreage.

Council President Ciolino said that when open space is referenced in the Zoning Ordinance it is only referenced for side, back and front yard setbacks. He suggested this is something that has to be defined before it can be started and will move towards getting this before the Planning Board, and will be their starting point.

Councilor Gilman thanked Mr. Winslow, Larry Durkin, the city's Environmental Engineer and Nick Holland of Cape Ann Trail Stewards for attending a Lanesville community meeting recently to help set community priorities on open spaces. **Mr. Winslow** said in 2017 there will be another update of the city's Open Space Plan.

Councilor Memhard said the North Gloucester Woods is a wonderful asset and resource. He asked about other open space projects that may be on tap for other parts of the city regardless of their particular resources and if a prioritized list of parcels for preservation has been developed. **Mr. Winslow** said the Open Space and Recreation Committee had addressed the city's open space inventory a while ago, and that and with the next Open Space Plan they'll look more closely at what city-wide parcels may or may not need protection.

Council President Ciolino noted Mr. Winslow has been working on the city's Open Space Plan for some time now since he's been employed by the city and acknowledged his hard work and diligence on behalf of the city.

New Appointments:

Clean Energy Commission

Paul McGeary

TTE 02/14/18

COMMITTEE RECOMMENDATION: On a motion by Councilor , seconded by Councilor , the Ordinances & Administration Committee voted in favor, opposed, to recommend that the City Council appoint Paul McGeary to the Clean Energy Commission, TTE 02/14/18.

DISCUSSION:

Former Councilor McGeary said a good deal of his effort on the Council was to help the city to move towards more environmentally friendly ways of generating energy, helped to bring the wind turbine projects to fruition, and worked on the Climate Risk Assessment Committee which looked at the effect of climate change out to 2030 that may affect city properties. He said anything they can do to reduce the burden of greenhouse gasses and to generate clean, efficient power has always been of interest to him.

Council President Ciolino mentioned that the wind turbines now bring to the city about \$350,000 in revenue to the city and about \$40,000 for that PILOT program and it is to Former Council McGeary's credit.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, opposed to appoint Paul McGeary to the Clean Energy Commission, TTE 02/14/18.

Trust Fund Commission

Barry Weiner (Cont'd from 5/2/16)

TTE 02/14/19

COMMITTEE RECOMMENDATION: On a motion by Councilor , seconded by Councilor , the Ordinances & Administration Committee voted in favor, opposed, to recommend that the City Council appoint Barry Weiner to the Trust Fund Commission, TTE 02/14/19.

DISCUSSION:

Mr. Weiner said that he looks forward to discharging his duties with the Trust Fund Commission on behalf of the city. **Councilor Cox** said in her last term as the B&F Chair, she worked to get this Commission back up and running and that Mr. Weiner was a fine appointment. **Council President Ciolino** added his endorsement as well.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan , the City Council voted 9 in favor, 0 opposed to appoint Barry Weiner to the Trust Fund Commission, TTE 02/14/19.

Consent Agenda:

• **MAYOR'S REPORT**

1. Special Budgetary Transfer Request (2016-SBT-31) from Police Dept. (Refer B&F)
2. Special Budgetary Transfer Request (2016-SBT-31) from Police Dept. (Refer B&F)
3. Memorandum from CFO & Special Budgetary Request (2016-SBT-33) (Refer B&F)
4. Memorandum, Grant Application & Checklist from Police Chief re: Acceptance of a FY16 Bulletproof Vest Grant in the amount of \$23,270 from USDOJ & EOPSS (Refer B&F)
5. Communication from Attorney John Cunningham re: The Beauport Hotel Gloucester Project & compliance with Special Council Permit conditions & the issuance of a Certificate of Conditions Complete (Refer P&D)
6. Invitation & flyer from Public Health Nurse re: Hepatitis C education event at the Rose Baker Senior Center on June 8, 2016 (Info Only)

• **COMMUNICATIONS/INVITATIONS**

1. The Vegetation Management Plan-Keolis Commuter Service (Info Only)
2. Invitation from the Relief Association of the Gloucester Fire Dept. for the Firefighter's Memorial Services on June 12, 2016 (Info Only)

• **APPLICATIONS/PETITIONS**

1. SCP2016-001: Mt. Vernon Street #31, Map 30, Lot 57, GZO Sections 3.1.6 & 3.2.2 fn(c) Maximum height & 3.2.2 fn(a) Minimum lot area per dwelling unit (Refer P&D)
2. SCP2016-002: Essex Avenue #74, Map 218, Lot 118, GZO Sec. 2.3.6(1) Parking of Motor Vehicles to service a use permitted in the same district (Refer P&D)

• **COUNCILORS ORDERS**

1. CC2016-025 (O'Hara/Memhard) Request City Council vote to petition MassDOT, State Sen. Bruce Tarr & State Rep. Ann-Margaret Ferrante to request the elimination of the left-hand turn from Rte. 128 Extension southerly to Eastern Avenue (FCV 06/0716)
2. CC2016-026 (Gilman) Amend GCO by adding new sections 22-161.1 & 22-275.1 and amending Sections 22-275.1, 22-291 & 22-270.1 re: Washington Street southerly side on the intersection of Tucker Street for a certain distance

• **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

1. City Council Meeting: May 10, 2016 (Approve/File)
2. Standing Committee Meetings: B&F 05/19/16 (under separate cover), O&A 05/16/16 (under separate cover), P&D 05/18/16 (Approve/File)

Unanimous Consent Calendar:

1. Special Budgetary Transfer Request (2016-SBT-33) from City Clerk's Office (Refer B&F)
2. Petition for road repairs in accordance with GCO Article VI "Repair of Private Ways" Sec. 21-80 et seq.-Starknaught Rd. (Refer Mayor, DPW & B&F)

Items to be added/deleted from the Consent Agenda and Unanimous Consent Calendar:

By unanimous consent of the Council, the Consent Agenda and Unanimous Consent Calendar was accepted as presented.

Committee Reports:

Budget & Finance: May 19, 2016

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve the following matters on the Unanimous Consent Agenda of the Budget & Finance Committee dated May 24, 2016:

1. *Special Budgetary Transfer Requests 2016-SBT-23, -24, -25, -26, -27, -28, -29, & -30 from DPW For the purpose of alleviating the FY16 Snow & Ice Deficit*

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, to approve the following Special Budgetary Transfers for the purpose of alleviating the city’s Snow and Ice deficit:

2016-SBT-23

From: 101000.10.423.58700.0000.00.000.00.058 DPW S&I Replacement Equipment To: 101000.10.423.52970.0000.00.000.00.052 S&I, Contracts \$22,165.00

2016-SBT-24

From: 101000.10.472.52000.0000.00.000.00.052 DPW Facilities, Contract Services To: 101000.10.423.52970.0000.00.000.00.052 S&I, Contracts \$65,000.00

2016-SBT-25

From: 101000.10.472.52150.0000.00.000.00.052 DPW Facilities, Natural Gas Heating To: 101000.10.423.52970.0000.00.000.00.052 S&I, Contracts \$12,562.00

2016-SBT-26

From: 101000.10.472.52410.0000.00.000.00.052 DPW Facilities, Building Maint. To: 101000.10.423.52970.0000.00.000.00.052 S&I, Contracts \$50,000.00

2016-SBT-27

From: 101000.10.499.54120.0000.00.000.00.054 DPW Other, Diesel Fuel for MV To: 101000.10.423.52970.0000.00.000.00.052 S&I, Contracts \$14,173.57

2016-SBT-28

From: 101000.10.403.54000.0000.00.000.00.054 DPW Solid Waste Disp., Sup. To: 101000.10.423.55410.0000.00.000.00.054 S&I, Salt/Sand Road \$70,000.00

2016-SBT-29

From: 101000.10.423.51310.0000.00.000.00.051 DPW S&I, Overtime To: 101000.10.423.55410.0000.00.000.00.054 S&I, Salt/Sand Road \$36,617.93

2016-SBT-30

From: 101000.10.499.54110.0000.00.000.00.054 DPW Other, Gasoline To: 101000.10.423.55410.0000.00.000.00.054 S&I, Salt/Sand Road \$10,204.99

3. *Memorandums, Grant Applications & Checklists from Interim Director of Public Health for two Mini-Grants received by Public Health Department:*

A) A mini-grant from the Massachusetts Dental Society in the amount of \$1,980

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, under MGL c. 44, §53A accept a private mini-grant from the Massachusetts Dental Society’s MDS Foundation for \$1,980 for the purpose of funding school bus transportation trips between the Gloucester Public Schools and the Gloucester Public Health Department’s Children’s Dental Center to expand outreach efforts to underserved youth in the City of Gloucester.

B) Nicotine Delivery Device mini-grant in the amount of \$5,000 from Health Resources in Action

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, under MGL c. 44, §53A accept a private mini-grant from the 84 Movement, a subsidiary of Health Resources in Action for \$5,000 for the purpose of funding the City of Gloucester’s participation in the 84 Movement’s assessment of the impact of flavored tobacco products on youth smoking rates and a student Youth Council leadership outreach education program both through the Healthy Collaborative.

******* END B&F CONSENT AGENDA*******

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council permit the Public Works Director on behalf of the City of Gloucester to include a term of eight (8) years with an option by the city to renew for an additional term of two (2) years any and all contracts that result from a Request for Proposal (RFP) for the full service and operation and maintenance of the city’s water and waste water facilities and a Request for Proposal for the operation and maintenance of the city’s collection system mechanical components.

DISCUSSION:

Councilor Memhard explained that the Public Works Director on behalf of the city is currently out to bid on one of two critical contracts, the operation and maintenance of the collection system mechanical components (pump stations, grinder pumps, and STEP systems) which he hopes to have in place by July 1, and the second contract will go out to bid in late summer, for the full-service operation and maintenance of the city's water and waste water facilities. MGL c. 30B only allows for three year contracts unless the legislative body votes to extend the years covered in a city contract. It is to the city's advantage to take the advice of the Public Works Director in order to extend these two important contracts for a term of eight years with an option to renew both for two further years and the B&F Committee unanimously agreed and recommended that action.

Councilor Gilman said she understood eight years is positive, and asked what recourse the city has if the vendor isn't in compliance with the terms of the contract. **Mike Hale**, Public Works Director, said as an example, the vendor who runs the waste water treatment plant needs to provide the city and the state a monthly statement of what work has been done so that the city's compliance is always at the forefront. He pointed out this assures there is a frequent back and forth between the vendor and the city and the city staff that manages that contract on a daily basis. He advised that the contracts have outs for both the city and the vendor should the city or the vendor find they can't co-exist. **Councilor Gilman** said it sounds as if the contract is, "at will." **Mr. Hale** said there is due notice. He noted that it is important to have a good working relationship with these vendors -- they are residents of the city, they work here even though their headquarters are far away and become part of the DPW team. He said the longer contract reduces the vendor's risk so they will invest more, and the city receives a better result. For the last seven years the city has had year "tremendous" compliance for both water and waste water, due in large part to the great relationship with the vendor, he pointed out.

Councilor Orlando suggested that a longer contract would be more competitive. **Mr. Hale** said a shorter term contract is more risky for a vendor, but a longer term contract is a lower risk for taking on employees, buying equipment, etc., on the part of the vendor, but also is more financially advantageous to the city.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to permit the Public Works Director on behalf of the City of Gloucester to include a term of eight (8) years with an option by the city to renew for an additional term of two (2) years any and all contracts that result from a Request for Proposal (RFP) for the full service and operation and maintenance of the city's water and waste water facilities and a Request for Proposal for the operation and maintenance of the city's collection system mechanical components.

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council provide a bi-weekly stipend to the Interim City Clerk, Joanne Senos, for \$834.40 retroactive to May 2, 2016.

DISCUSSION: None.

MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 9 in favor, 0 opposed, that the City Council provide a bi-weekly stipend to the Interim City Clerk, Joanne Senos, for \$834.40 retroactive to May 2, 2016.

Ordinances & Administration: May 16, 2016

There were no matters for Council action from this meeting, **Councilor LeBlanc**, O&A Committee Chair reported.

Planning & Development: May 18, 2016

Councilor Lundberg, P&D Committee Chair, reported there were no matters for Council action from the May 18 meeting.

Scheduled Public Hearings:

- 1. PH2016-017: Proposed increase of certain miscellaneous Solid Waste Fees effective July 1, 2016**

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

Those speaking in favor:

John Dunn, CFO, said what is proposed is an increase in the two sizes of Pay As You Go (PAYT) rubbish bags, increasing 25 cents per bag -- 36 gallon trash bags (large) from \$2.00 to \$2.25 and 15 gallon trash bags (small) from \$1.00 to \$1.25. He advised that the new contract is increasing for pick up and disposal of the city's solid waste by \$150,000 for the next fiscal year over the FY16 budget, and increases that will affect the following four fiscal years totaling about \$400,000 under the new contract term. He said it is a reasonable time for the Administration to recommend these increases. He pointed out that the last solid waste fee increases for PAYT bags was in 2006. He noted that the Administration reviewed how much this increase would rise, and it equates to about \$140,000 to \$150,000 a year over the current level of revenues. He added it is presumed that about 20% of the bags sold are the small bags and about 80% of bags sold are the larger, and based on last four years of revenue history, comes to the \$140,000 to \$150,000 annual revenue increase or about \$450,000 over the course of the contract. Another factor taken into consideration was historically how much of the total cost of sanitation and recycling was borne by the sale of bags versus the cost borne by General Fund revenues (taxes). He said over the course of 10 years from 2006 through 2015, bag fees raised about 64% of the total cost of the expenditures. The increased bag fees will bring that ratio down to where bag revenues will again be at 64% of the cost of expenditures of sanitation and recycling. This increase will keep the balance that has been in place historically to support for this departmental expenditure, he said. He added that it is about two-thirds in bag revenue and one-third in taxation. He cautioned that in the future there will likely be upward pressure in expenditures associated with curbside pickup and recycling. If recycling is embraced further by the community it will help keep tipping fees in check.

Brian Hamilton, Lawrence Mountain Road, said the entire city should pick up the difference of the increase of costs associated with the new solid waste contract. There are many people who aren't able to utilize the trash pickup by the city, he pointed out. He said that the city is still getting a better deal even with the solid waste fee increases because in Essex it costs \$170 a year for a transfer station sticker which entitles those residents to bring their sorted waste and recycling which they must transfer themselves to be tossed out at the Transfer Station. He suggested this fee of \$170 equates to a PAYT bag and a half a week. The city gets more service with a marginal increase, he said. Some people may say the increase will be difficult for some people to pay, but he pointed out that at the senior center seniors can buy five bags at a discount. This increase will drive people to recycle more, he noted. He gave examples of single family homes he has seen that put out seven or eight large trash bags curbside with little recycling.

Those speaking in opposition:

Amanda Kesterson, 5 Western Avenue, noted 10 years ago the decision to charge for trash bags was a form of "double dipping," and is continuing today. She expressed concern for the thought behind the increase in solid waste fees. She questioned if every tax dollar has been used to its maximum capacity and was the Council sure that was the case. She expressed her understanding the Administration is trying to balance the FY17 budget but she said she disagreed with their method. She asked this matter go back to the B&F Committee in order to find the money in the budget to find the funding for this solid waste contract. She asked the Council to not vote in favor of the increase (a full written statement placed on record).

Katherine Goodick, 5 Dogtown Road, expressed her opposition to the solid waste fee increases. She said elderly folks can't afford such an increase. Pointing out that the sewer rate and water rate is going up and this is a fee that shouldn't be raised.

Glen Bresnahan, 514 Essex Avenue, said he was opposed to the solid waste fee increases. With a budget of \$105 million he expressed his concern that the funding can't be found to cover the new solid waste contract increases. Referencing how the towns of Rockport and Essex allow for items like old beach chairs to be disposed of at transfer stations, he said getting rid of an old beach chair in Gloucester requires the purchase of a \$5 sticker. He suggested that Councilors had already made up their minds prior to the public hearing to raise solid waste fees. Taxes are paid for such city services, he said, and that it is time to give something back to the residents rather than take from them.

Cecelia Coraza, 6 Naomi Drive, said she viewed the trash bag fee increases as a regressive tax on people who can't afford the 25 cents more per bag. Saying that everyone's income is flat, and yet water and sewer rates, electric bills, health insurance go up yet they're paying for everyone else in the city. She said to not be able to find \$150,000 within a \$105 million budget was concerning to her. Savings should be found within the city budget to cover the cost of the solid waste contract increase, she said.

Communications (both received by email): **Rona Tindall**, Fort Square, and **Elizabeth Neumeier**, 28 Coggeshall Road, both indicating they were in favor of the solid waste fee increases. **Ms. Niemeier** also spoke of her recycling methods and that recycling more will help residents use less trash bags.

Councilor Questions:

Councilor Cox asked if there were any budget cuts to the FY17 budget and has the B&F Committee identified any excess in the FY17 budget review to date. **Mr. Destino** confirmed there were to all departments, and while he said there were several revisits on some line items, there was nothing of much fiscal consequence. **Councilor Cox** asked what else is paid for with the revenue from the PAYT bag sales. **Mr. Destino** said that revenue is only offsetting two-thirds of the solid waste contract and pays for nothing else. **Councilor Cox** asked about the yellow bags purchased for the volunteer clean up groups, how they are paid for and those bags' disposal. **Mr. Destino** said that is part of the contract. He noted there were a lot of other services that the solid waste contract covers other than just the weekly curbside pickup of trash and recyclables but also includes city park barrels seasonally, etc. He said the cost of the bags support the service. **Councilor Cox** pointed out that the Administration is relating the cost of the increase on the sale of the PAYT bags to the cost of the contract for trash removal which encompasses more than the PAYT bags, which **Mr. Destino** confirmed. She suggested that the city could stop providing the yellow bags to community groups in aid of neighborhood clean ups and their removal to save costs, but it wouldn't be realistic. **Mr. Destino** said that wasn't realistic and they didn't want to cut services to the community. He said that they don't take raising fees lightly and didn't come to the determination lightly either, that it was a hard decision. He advised he reviews the city budget 12 months of the years always seeking out savings for the city. He reiterated that the fee increases being requested are minimal. He said that it is the right time, and is smart business decision in order to keep the same services the citizens of Gloucester deserve and require. **Councilor Cox** pointed out that Mr. Destino is a resident and taxpayer of the city, and pays the same fees for his trash removal as others do and indicated he would have to pay this increase out of pocket as well. **Councilor Cox** asked if an audit was ever done to ensure that multi-family dwellings over four units that aren't entitled to city trash pickup are not using PAYT bags. **Mr. Destino** said that is an on-going auditing process, and from time-to-time there are violations found. **Councilor Cox** said it is important that Councilors are as diligent as possible to report violations of trash and that it is important that the contract be held locally employing local people that cooperates fully with the city and its needs. **Mr. Destino** said there are a lot of discussions on ways to save money within this contract and spoke of some of the issues surrounding savings made. Pick up on the city's many narrow streets is difficult, he pointed out, which only adds to such a contractual cost. He reiterated that the Administration wouldn't bring forward any increase in fees to citizens unless careful thought was given and all avenues explored. He advised these fee increases will close a budget hole that will keep pace with the solid waste contract going forward for its duration.

Councilor Gilman, noting FY16 statistics on PAYT bag, bins, bulk item and white goods (CRT's, TV's, appliances, etc.) sticker revenues to date in FY16 \$750,000 has been received and goes directly to the General Fund. She asked how much it normally costs to take away white goods. **Mr. Hale** said if someone was ineligible for the city's trash pickup program and lives in a multi-family or condominium, a private trash hauler would charge \$25 to take the item away whereas the city is asking to raise their fee for the same service from \$5 to \$10. He advised as part of the residential program eligible residents can purchase a sticker and put the item curb side and the item is removed. He said they look at the value of the larger items, such as what it costs to get rid of a TV set -- it costs more to bring that TV somewhere for disposal than it does for pickup curbside as well as the convenience. He said his department works to inform the public of their bulk item and white goods disposal options and that solid waste is more highly regulated than ever before. He pointed out that the city's PAYT program is 26 years old and Gloucester was the first such program in the state and has acted as a model for 143 other cities and town statewide who instituted similar programs for communities who have realized they can no longer give a free barrel a week unlimited trash throw. **Councilor Gilman** asked about tipping fees at landfills and why it is becoming problematic. **Mr. Hale** explained that: the biggest vendors have the lowest tipping fees, but there are limited landfills or incinerators that take solid waste so it is a competitive market. Hiltz, the city's chosen vendor, has more buying power than just small disposal firms. The city is limited with solid waste hauling vendors, and it is a very competitive and costly market. The market is saturated with recycled materials and fuel costs are down which makes recycling unattractive to haulers. One of the successes of the city's recycling program is that they collect recycling weekly. He said his family of five recycles more than they throw away. **Councilor Gilman** noted that a flyer from the DPW (on record) enumerates all the items that can be recycled and that single stream recycling is making it easier and a better process.

Councilor LeBlanc said people are under the impression that recycling is free. **Mr. Hale** said recycling, other than tipping fee, is the same which requires the same number of trucks driving the same routes on same route days. The city used to get a small rebate on recycling on 3,000 tons a year but not anymore because there just isn't a market for recyclables as it bottomed out. Curbside collection costs (trash and recycling), cut it in half and there is the cost of the recycling and disposal. He pointed out there is sharing of risk with the vendor being stuck with some recycled goods they must pay to dispose of. Recycling is not free, he said. **Councilor LeBlanc** expressed his agreement that recycling in reality is not free, that it is a 50/50 split.

This public hearing is closed at 8:32 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Ciolino, the Budget & Finance Committee voted 2 in favor, 1 (Orlando) opposed, to recommend that the City Council increase certain miscellaneous Solid Waste Fees effective July 1, 2016 as follows:

36 gallon trash bags (large)	from \$ 2.00 to \$ 2.25
15 gallon trash bags (small)	from \$ 1.00 to \$ 1.25
Appliance/CRT Stickers	from \$25.00 to \$30.00
Bulk Item Stickers	from \$ 5.00 to \$10.00

DISCUSSION:

Councilor Orlando, noting that in speaking with many people, with Mayor Theken and Mr. Destino, said that the Administration has for a year and a half been fiscally responsible. These fee increases are an attempt to try to balance the city budget and he expressed his appreciation for their hard work. He expressed his opposition to the proposed fee increases saying it adds a burden on the residents, and is not in the city's best interest. He said that it will take will and creativity to find the money within the city budget to cover this contract. As to what other communities do, they're not paying significant water and sewer rates, and fees do add up, he said. He pointed out it is a valid question of where will the Council cut to meet this budget gap. He said the B&F Committee will have to review all the departments before the Council makes their decision. He suggested that this discussion and final vote be tabled until another Council meeting so that the Council can review the entire city's FY17 budget and come up with 1/10 of 1% to cover this contract. He said he would vote no if a vote is taken.

Councilor Orlando then motioned that the matter of the vote on some solid waste fee increases be continued to a nearby Council meeting and was seconded by **Councilor Cox**.

Councilor LeBlanc confirmed with **Mr. Hale** that the new solid waste contract goes into effect July 1.

Councilor Orlando expressed his understanding that this is a time sensitive issue, and through the normal budget process suggested the Council can make that determination whether the fees can be increased and urged the B&F Committee find it.

Councilor O'Hara said expressed his support for Councilor Orlando's request to postpone the Council vote.

Council President Ciolino said that he's participated in many budgets and there could be some adjustments but that they're almost half way through the FY17 budget review and they've not even able to find \$10,000 for a Downtown Development Commission budget cut. He pointed out that the FY17 budget as crafted is very tight, with nearly half of city revenues going in support of the city's schools, and that budget can't be cut. He advised that 80% percent of the city budget is salaries and is contractual, leaving 20% for Ordinary expenses, so then out of that Ordinary budget, do you cut copier paper? He said the only budgets would be the Police, Fire and Public Works Departments as the largest, but they provide critical city services. He added that finding \$150,000, is wishful thinking, and so wouldn't support the motion to continue the matter.

Councilor Lundberg expressed support of an unspoken, significant minority of citizens who pay the same taxes as homeowners do but are not eligible for city trash collection. Those citizens who live in apartments and condominiums pay the full amount of their trash collection through their assessments and their rent. He said it is not unreasonable to try to increase cost sharing that the other residents do. Being smarter about recycling is important and said he was unsure this is not other than a strict business issue and wouldn't support a continuation.

Councilor Memhard said that as a new Councilor, in the budget process to date, he's been impressed by the conscientiousness and diligence done in crafting the FY17 budget and by the fiscal responsibility of Mayor Theken and her financial team. He said he appreciated the sentiments expressed, but that the request to raise PAYT bag fees by 25 cents over the existing fee, the first increase in 10 years, reflects prudent, responsible, and fiscally conservative planning and budgeting and to not proceed to approve these fees will push the Council into a series awkward actions and decisions. He touched upon comments made about recycling and that the program is while "free" it has dramatically reduced the city's waste stream. He expressed hope that the city can endorse in the future pickup of composted kitchen goods. He expressed his appreciation for the sentiments expressed by the public this evening, but that what is proposed is fiscally responsible. This increase only covers two-thirds of the city's solid waste contract which covers city parks trash pickup too. He asked the Council to vote and approve this measure.

Councilor Cox asked whether the Council was moving the vote to June 7 or 14. **Council President Ciolino** suggested it would be scramble to get the budget passed if this vote was postponed to June 14 (the date of the Council's scheduled vote on the FY17 budget). **Councilor Cox** said after four years on B&F and the difference with this Administration, she said she didn't see where the Council will come up with \$150,000. In her review of the budget there are so many more cuts to the FY17 budget than done for FY16. She said any extra funding is going towards funding the city's schools, and this is a losing compromise. She pointed out that nine people on the Council are homeowners and citizens that have to balance their family's budget with everyone looking for ways to save the city money. Paying taxes is not an exemption from doing more and paying more, she said. She said she didn't agree with this vote being postponed in that the Council will find itself once again in the same situation.

Councilor O'Hara said citizens of Gloucester have had enough and can't pay more. They are burdened with high water and sewer rates, and real estate taxes. This fee increase is 13%. He said that Mr. Smith and Mr. Destino have the means to find the \$150,000.

Councilor Nolan said he is in favor of the Council postponement of a vote to take a second look if it would not interfere with the timing of the Council vote on the FY17 budget. If the money can be found, he would like to know about it.

Councilor LeBlanc said that while he agrees that the budget has been tightened, and many departments have had cuts, he would be OK with waiting two weeks.

Councilor Gilman said although \$150,000 may not be found, she would support Councilor Orlando's postponement.

Councilor Orlando said he believed he can find the funds within the FY17 budget. If at the end of the day they can't find the \$150,000 they can revote on this matter.

Councilor LeBlanc, remarking on Mr. Bresnahan's comments, said that the Councilors do their due diligence, and come to Council meetings with open minds, and don't always have their minds set before voting on any matter that comes before them.

By Roll Call Vote the City Council voted 6 in favor, 3 (Lundberg, Memhard, Ciolino) opposed, that the matter of the vote on increasing certain solid waste fees is postponed to June 7, 2016.

2. **PH2016-018: Amend GCO c. 22, Sec. 22-284 "Service or Loading Zones" by ADDING two spaces for Veterans' Clinic Loading/Unloading, Monday through Friday, from the hours of 7:00 a.m. to 5:00 p.m. in front of 201 Main Street**

This public hearing is opened at 8:56 p.m.

Those speaking in favor:

Mark Nestor, Commander American Legion Post #3, said that the Veteran's Administration isn't going to have valet parking service at the new Veteran's Clinic. There will be two valets simply to assist the elderly and infirm patients, he said. He asked that the Council fix a situation they had no say in. They are seeking the creation of two parking spots for loading and unloading because the property on Main Street is situated on a steep hill making it very difficult for elderly and disabled veterans to access the new clinic. He said the Council and the Administration is looking to help the city's veterans in this small step. He advised that the Veteran's Clinic's grand opening is on June 1 at 1 p.m. and that it would be nice to show off the new spots. He asked that the city accelerate the creation of the new loading zone spaces for the clinic's opening.

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Councilor Cox said the two plans showing the proposed parking spaces to be reserved didn't make it into the packet, but did make it into the O&A drop box folder (and on file with the Council) and that if the Councilors have any questions to refer to those plans.

This public hearing is closed at 9:02 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-284 "Service and Loading Zones by ADDING as follows:

"Two (2) spaces at 199 - 201 Main Street, southerly side, 17 feet wide each, from a point beginning on the easterly side of the existing crosswalk.

DISCUSSION:

Councilor LeBlanc explained that with the opening of the new Veterans' Clinic on Main Street, there is a need to have two spaces for vans bringing veterans to and from their appointments. The Traffic Commission recommended rather than making these spaces exclusively handicapped parking, that the spaces be reserved as Service and Loading Zones during certain hours so that in the evenings when the Clinic is closed there could be general parking in those spaces for the public. The O&A Committee unanimously agreed, he said.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 22-284 "Service and Loading Zones by ADDING as follows:

"Two (2) spaces at 199 - 201 Main Street, southerly side, 17 feet wide each, from a point beginning on the easterly side of the existing crosswalk.

- 3. PH2016-019: Amend Sec. 22-267 "One Way Streets-Generally" by ADDING Derby Court from the intersection of Maplewood Avenue to Derby Court and Derby Court to Derby Street in a northwesterly direction; and amend Sec. 22-269 "Stop Intersections"**

This public hearing is opened at 9:04 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions:

Councilor Cox advised that one of the three households on Derby Court just had a baby so were unable to attend this public hearing and the other two households thought the public hearing was two weeks ago.

This public hearing is closed at 9:05 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-267 "One Way Streets-Generally" by ADDING: "Derby Court from the intersection of Maplewood Avenue to Derby Court and Derby Court to Derby Street in a northwesterly direction."

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 22-267 "One Way Streets-Generally" by ADDING: "Derby Court from the intersection of Maplewood Avenue to Derby Court and Derby Court to Derby Street in a northwesterly direction."

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-269 "Stop intersections" by DELETING: "Derby Street. Eastbound drivers on Derby Street at its intersection with Maplewood Avenue."

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 22-269 "Stop intersections" by DELETING: "Derby Street. Eastbound drivers on Derby Street at its intersection with Maplewood Avenue."

- 4. PH2016-020: Amend Sec. 22-270 "Parking prohibited at all times" by ADDING as follows: Main Street northerly side from a point beginning 77 feet from its intersection with Scott Street in a westerly direction for a distance of 30 feet; and amend Sec. 22-291 "Tow-away zones" by ADDING: Main Street northerly side from a point beginning 77 feet from its intersection with Scott Street in a westerly direction for a distance of 30 feet**

This public hearing is opened at 9:06 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 9:07 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-270 "Parking prohibited at all times" by ADDING as follows: "Main Street northerly side from a point beginning 77 feet from its intersection with Scott Street in a westerly direction for a distance of 30 feet.

DISCUSSION:

Councilor Cox asked where this is change to the ordinance is located. **Councilor Memhard** said that this is on Main Street in the area of the Speedway gas station, and was a constituent request that exiting the station is very difficult with lack of sight lines. **Councilor Cox** asked if the right hand/left hand turn portion of the order was left off. **Councilor Memhard** said it was, and that he recommended in future that it be looked at to only having vehicles turn out of a business with the flow of traffic, but the Commission and Committee didn't support that portion of the Order. **Councilor Cox** said she wouldn't have supported that restriction on a business either.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 22-270 "Parking prohibited at all times" by ADDING as follows: "Main Street northerly side from a point beginning 77 feet from its intersection with Scott Street in a westerly direction for a distance of 30 feet.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-291 "Tow-away zones" by ADDING as follows: "Main Street northerly side from a point beginning 77 feet from its intersection with Scott Street in a westerly direction for a distance of 30 feet.

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 22-291 "Tow-away zones" by ADDING as follows: "Main Street northerly side from a point beginning 77 feet from its intersection with Scott Street in a westerly direction for a distance of 30 feet.

5. PH2016-021: Amend Sec. 22-270 "Parking prohibited at all times" by DELETING "Mt. Pleasant Avenue" in its entirety after the words, "southerly side," and ADDING: beginning at a point 168 feet from its intersection with Gerring Road for a distance of 151 feet in a westerly direction; and Amend Sec. 22-291 "Tow-away zones" by DELETING "Mt. Pleasant Avenue" in its entirety after the words, "southerly side," and ADDING: beginning at a point 168 feet from its intersection with Gerring Road for a distance of 151 feet in a westerly direction"

This public hearing is opened at 9:11 p.m.

Those speaking in favor: None.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 9:11 p.m.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-270 "Parking prohibited at all times" as follows:

by DELETING: "Mt. Pleasant Avenue" in its entirety after the words "southerly side" and,
by ADDING as follows: "beginning at a point 168 feet from its intersection with Gerring Road for a distance of 151 feet in a westerly direction."

DISCUSSION:

Councilor Memhard said this is a request of a Mt. Pleasant Avenue constituent and thanking Bob Ryan, Chair of the Traffic Commission, pointing out that this action brings another parking space to the area.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted by ROLL CALL in favor, 0 opposed, to Amend GCO Sec. 22-270 "Parking prohibited at all times" as follows:

by DELETING: "Mt. Pleasant Avenue" in its entirety after the words "southerly side" and, by ADDING as follows: "beginning at a point 168 feet from its intersection with Gerring Road for a distance of 151 feet in a westerly direction."

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-291 "Tow-away zones" as follows:

by DELETING: "Mt. Pleasant Avenue" in its entirety after the words "southerly side" and,
by ADDING as follows: "beginning at a point 168 feet from its intersection with Gerring Road for a distance of 151 feet in a westerly direction."

DISCUSSION: None.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Nolan, the City Council voted 9 in favor, 0 opposed, to Amend GCO Sec. 22-291 "Tow-away zones" as follows:

by DELETING: "Mt. Pleasant Avenue" in its entirety after the words "southerly side" and, by ADDING as follows: "beginning at a point 168 feet from its intersection with Gerring Road for a distance of 151 feet in a westerly direction."

For Council Vote: None.

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: Councilor Cox re: Downtown Development Commission update: Councilor Cox reported she was unable to attend the last DDC meeting, but that the DDC is working on lighting trees and to replace and revitalize what they can. There is no underground conduit or electrical outlets in the area and so the lights are currently strung tree to tree. They just completed the contract for new flowers to be installed in planters and are looking to add benches. The DDC budget for FY17 was reduced by half to \$10,000 so some of the planned improvements may have to be set aside. She mentioned the YMCA teen leaders program that water the plants and to whom the DDC is grateful. She mentioned the older lampposts that are hoped to be replaced with better lamp heads to return to full lighting in the downtown for security and pedestrian safety.

Councilors' Requests to the Mayor:

Councilor Orlando advised that at the conclusion of budget season he and Councilor LeBlanc are scheduling meeting with local contractors to learn how they'd like to see the city's permitting process more streamlined. A time and date will be announced for this brainstorming session.

Councilor Cox wished everyone safe and happy Memorial Day weekend and invited the public to the Memorial Day ceremony.

Councilor Lundberg mentioned the city's schools artwork around city hall and at locations downtown.

Councilor Memhard mentioned the Harbortown Arts Festival throughout the district and on I4-C2 this holiday weekend. He advised that the Ice House gallery will have an exhibit of his cousin, Sue Memhard's artwork and poetry.

Councilor O'Hara asked that the O&A meeting agenda include his update on the progress of the Ad Hoc Dog Ordinance Review Committee.

Council President Ciolino said he will be at The Grind on Friday, May 27 from 7:30 a.m. to 8:30 a.m. and invited the residents of Lanesville to join him for a cup of coffee and a chat.

A motion was made, seconded and voted unanimously to adjourn the meeting at 9:22 p.m.

Respectfully submitted,

Dana C. Jorgensson

Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Oral Communication by Karen Favazza Spencer re: Cable TV Advisory Committee**
- **Power Point presentation by Beauport Gloucester Hotel group**
- **Power Point presentation on North Gloucester Woods Study by Stephen Winslow**
- **Full text of remarks made by Amanda Kesterson during the Public Hearing on Solid Waste Fees**