

**GLOUCESTER CITY COUNCIL MEETING**

Tuesday, August 9, 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; Councilor James O’Hara; Councilor Joseph Orlando, Jr.**

**Absent: Councilor Nolan**

**Also Present: Mayor Sefatia Theken; Joanne Senos; Kenny Costa; Chip Payson; Dan Smith; Mike Hale; Adam Curcuru; Chris Sicuranza;**

**The meeting was called to order at 7:02 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. Council President Ciolino** dedicated the Moment of Silence in honor of Tony Testaverde, a man of the Greatest Generation who served in the U.S. Navy during World War II, and who dedicated himself to the city’s veterans throughout his life.

**Oral Communications:**

**Kathy Clark**, 4 Duck Pond Road, #213, Beverly, who spoke two weeks ago under the same heading, spoke about the Clark Family Cemetery within the city’s First Parish Cemetery. She mentioned she was working almost daily to clear her family’s portion of the cemetery, but has observed loose dogs fouling the cemetery with people drinking there and leaving trash behind. She asked about city ordinance regarding rules and regulations about city cemeteries, asking if police patrol these areas as in the back of the cemetery is a dangerous area, and whether a Cemetery Commission will be recreated. She asked if the police could confirm that people are safe paying their respects in the cemetery. She reiterated it is an issue of safety in the cemetery. She said if there are ordinances related to behavior in cemeteries and prohibitions, then there should be ample posting of signs indicating such.

**Richard M. Clark, Jr.**, 4 Duck Pond Road, #213, Beverly, MA, who also spoke two weeks ago on the conditions at the First Parish Cemetery which contains his family’s cemetery, and cited and reviewed briefly MGL Part 1, Title XVI, c. 114 Cemeteries and Burials, Sections 16, 17, 18 and 73 all related to the care and upkeep of municipal cemeteries which gives municipalities the right to raise taxes to keep up city cemeteries. He suggested that Section 73 was most appropriate and that inexpensive motion-activated cameras will assist in apprehending those persons who vandalize burial places in the city. He noted that there are legal consequences to scofflaws in cemeteries. Noting that the Council is community leaders, he asked them to do lead by example on this issue.

Both Mr. and Mrs. Clark’s written statements were placed on file.

**Presentations/Commendations:****Recognition of Angela Sanfilippo for induction into the Boston Seafood Hall of Fame**

**Mayor Sefatia Theken** recognized Angela Sanfilippo, President of the Fishermen’s Wives Association, on the occasion of her induction into the Boston Seafood Hall of Fame. She highlighted the many years of service Ms. Sanfilippo has devoted to lobbying for the rights of the city’s fishing fleet and for her tireless efforts to promote Gloucester’s fresh seafood to the world. She noted she knew Ms. Sanfilippo since the 1980’s who has been a mentor who has given a part of her life to donate her time for the city of Gloucester at a cost to her family to serve the fishing community because she wanted to protect the ocean and its resources. She cited the many senators and congressmen whom Ms. Sanfilippo worked with to further the rights of city fishermen. She then read a citation honoring Ms. Sanfilippo’s service to the city and its fishing heritage.

**Council President Ciolino** and **Vice President, Councilor LeBlanc** then spoke to Ms. Sanfilippo’s with the many accomplishments to date in representing and advocating for the city’s fishermen, promoting Gloucester’s fresh seafood, and as President of the Fishermen’s Wives Association, a position she’s held for many years. **Council President Ciolino** cited Ms. Sanfilippo as its ambassador for the city. He lauded her hard work on behalf of the Gloucester fishermen. He then read the Council’s citation. **Councilor LeBlanc** offered his congratulations and said that it was his honor to serve Ms. Sanfilippo as her Ward Councilor.

**Ms. Sanfilippo** thanked the Council and the Mayor for her honors. She said she has been a fishing advocate for 39 years. She mentioned a newly released book, “When Fish Came First” highlighting photographs of her family in it. She said of special note to her was a picture of her standing at the Kyrouz Auditorium podium in 1979 at nine months pregnant, the night before leaving for Washington, DC to lobby on behalf of the city’s fishing fleet to fight against oil drilling in the Atlantic. She said she didn’t make the trip because her child was born the next day, but it was the start of a much longer journey. She said in all her travels as Director of Support Services of the Fishermen’s Partnership along the Eastern Seaboard, it only brings to light how special a place Gloucester is. She recalled attending the Boston Seafood Exposition ladling out Gloucester redfish soup so many people told her how beautiful Gloucester is and told her don’t let it change, to let it be what it is. She urged support the support of “Gloucester Fresh” and attendance of the Boston Seafood Exposition by the Council in March. It is important to tell the story of what we are and to never forget it, she said.

*The City Council recessed its meeting at 7:26 p.m. in order to personally congratulate Ms. Sanfilippo and then resumed the Council meeting at 7:40 p.m.*

**New Appointments:**

Stage Fort Park Advisory Committee      William R. Schofield      TTE 02/14/19

**Councilor LeBlanc** explained that the matter of William Schofield being appointed to the Stage Fort Park Advisory Committee is being withdrawn from the Council’s consideration by the Administration by receipt of a memo from Chris Sicuranza in the Mayor’s Office dated August 8, 2016.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Cox, the City Council voted 8 in favor, opposed, 1 (Nolan) absent, to permit the withdrawal of the appointment of William R. Schofield to the Stage Fort Park Advisory Committee, TTE 02/14/19 without prejudice.**

**Consent Agenda:**

- **REAPPOINTMENTS**
- EDIC Ruth Pino, Michael DiLascio TTE 07/01/2019
- **MAYOR’S REPORT**
- 1. Memorandum from Fire Chief re: request acceptance of a FEMA Assistance to Firefighters Grant (AFG) to replace outdated Self Contained Breathing Apparatus (SCBA) & a request to provide matching funds which is approximately \$40,000 (Refer B&F)
- 2. Memorandum from Emergency Medical Services Coordinator re; proposal to write off uncollectible debt in the amount of \$375,901.74 & with a proposal of putting the billing contract into a longer contract cycle (Refer B&F)
- 3. Memorandum from CFO regarding a Loan Order request in the amount of \$675,000 to fund repairs to clarifiers at the Waste Water Treatment Plant (Refer B&F)
- 4. Memorandum from Director of Veterans Services re: Council acceptance of donation in the amount of \$20,000 to help support critical needs of department as outlined by department leaders (Refer B&F)
- 5. Memorandum from the President of Light Up Mattos Committee re: Council acceptance of a donation in the amount of \$4,000 to cover the remaining monies needed to secure a bid contract for the lights at Mattos Field (Refer B&F)
- 6. Memorandum from the Director of Human Resources re: Reorganization Plan for Executive Office of Mayor (Refer O&A)
- 7. Response to Oral Communication of July 12, 2016 City Council Meeting to Rob Russell (Info Only)
- 8. Response to Oral Communication of July 12, 2016 City Council Meeting to Debbie Liacos (Info Only)
- 9. Response to Oral Communication of July 26, 2016 City Council Meeting to Mr. & Mrs. Richard M. Clark (Info Only)
- 10. Response to Oral Communication of July 26, 2016 City Council Meeting to Tara Cunningham (Info Only)
- 11. New Appointments: Cemetery Advisory Committee (TTE 02/14/19) Sandy Barry, Patti Amaral, Bev McKean (Refer O&A)
- 12. New Appointment: City Hall Restoration Commission (open vacancy) (TTE 02/14/19) Richard Luecke (Refer O&A)
- 13. Notice from the American Traveling Morrice Group of their 41<sup>st</sup> annual tour of “dancing in the streets” on August 13, 2016 at Harbor Loop, St. Peter’s Square, Police Station Pavilion & City Hall public areas (Info Only)
  - **COMMUNICATIONS/INVITATIONS**
  - **APPLICATIONS/PETITIONS**
- 1. Special Event Application: Request 160 hold Concert on the Boulevard on September 3, 2016 (Refer P&D)
  - **COUNCILORS ORDERS**
- 1. CC2016-036 (Cox) Amend GCO Sec. 22-191 “Established” and Sec. 22-288 “Off-Street parking areas” re: Proctor Street Parking Lot (Map 15, Lot 109) (Refer O&A & TC)
  - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
- 1. City Council Meeting: 07/26/16 (Approve/File)
- 2. Standing Committee Meetings: B&F 08/04/16, Special B&F 08/09/16, O&A 08/01/16, P&D 08/03/16 (Approve/File)

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

**Councilor Lundberg** asked to remove Item #2 from the Mayor’s Report, “Memorandum from Emergency Medical Services Coordinator re; proposal to write off uncollectible debt in the amount of \$375,901.74 & with a proposal of putting the billing contract into a longer contract cycle.” He noted the EMS Director made a report two years ago to the Budget & Finance Committee that was extremely informative, and he recommended to the Council that they review those B&F minutes in preparation for the EMS Director’s matter before B&F next Thursday, Aug. 18. He also pulled Item #3 from the Mayor’s Report asking that when the DPW representative makes their presentation to the B&F Committee on the loan order for the Wastewater Treatment Plant for \$675,000, that they be prepared to comment on the inspections that led up to the discovery of the corroded clarifiers in May of this year prompting an emergent loan order for repairs to the clarifiers, and what transpired before that time.

**Councilor LeBlanc** asked to remove Items #6 under the Mayor’s Report, “Memorandum from the Director of Human Resources re: Reorganization Plan for Executive Office of Mayor.” He pointed out that the Council had not received a reorganization chart to accompany the Mayor’s Office reorganization plan, and he requested that one be forwarded promptly to accompany the plan to the appropriate Standing Committees. He said that because compensation plans for two employees are being changed by this reorganization plan that this matter should also be referred to the Budget & Finance Committee.

**By a unanimous vote of the Council the matter of the “Memorandum from the Director of Human Resources re: Reorganization Plan for Executive Office of Mayor,” was referred to not only the O&A Committee but also the B&F Committee.**

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

**Committee Reports:**

**Budget & Finance: August 4, 2016**

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Ciolino, Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council in accordance with MGL c. 44, §64 approve payment of a prior year invoice for services rendered by Cape Ann Auto Wash, Inc., Beverly, Mass., in FY2016 to be paid with FY2017 funds as follows from the current FY2017 Account #0121152-524003, Police Department, R&M-Vehicles, for \$307.00 out of a total invoice for \$481.00:

Cape Ann Auto Wash, Inc.	Invoice #: INV-0014	Date: July 8, 2016	<u>\$307.00</u>
		<i>Total</i>	\$307.00

**DISCUSSION:**

**Councilor Memhard** explained that the Police Department has changed vendors and is now taking their cars to the car wash located on Maplewood Avenue. He said that \$174 was carried over from the department’s FY2016 budget, but that another \$307 is needed to pay the full invoice which was received at the start of FY2017. He noted that another invoice that came through the Mayor’s Report for referral to the B&F Committee for payment also with FY2017 funds was not necessary for Council approval as that invoice would be paid out of a Special Revenue Fund, and not the General Fund.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, City Council voted 8 in favor, 0 opposed, 1 (Nolan) absent, in accordance with MGL c. 44, §64 approve payment of a prior year invoice for services rendered by Cape Ann Auto Wash, Inc., Beverly, Mass., in FY2016 to be paid with FY2017 funds as follows from the current FY2017 Account #0121152-524003, Police Department, R&M-Vehicles, for \$307.00 out of a total invoice for \$481.00:**

Cape Ann Auto Wash, Inc.	Invoice #: INV-0014	Date: July 8, 2016	<u>\$307.00</u>
		<i>Total</i>	\$307.00

**Ordinances & Administration: August 1, 2016**

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 should

vote to remove the polling place for Ward 5, Precinct 2 from the Magnolia Library, 1 Lexington Avenue, to West Parish School, 10 Concord Street, to become effective with the November 8, 2016 Presidential Election.

**DISCUSSION:**

**Councilor LeBlanc** said when Ward 5, Precinct 2 was moved to the Magnolia Library during the construction of the new West Parish School, the Council had always intended that the polling place would return to the school. In order to give the School Department time to get settled in, and the City Clerk's office to work with the School Department to create the ideal set up for the school and its needs, the conclusion was to return the polling place to West Parish School with the November 8, 2016 Presidential Election.

**Council President Ciolino**, noting the absence of Councilor Nolan, pointed out that the Councilor was in the forefront of moving the polling place back to West Parish School.

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Orlando, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Nolan) absent, to move the polling place for Ward 5, Precinct 2 from the Magnolia Library, 1 Lexington Avenue, to West Parish School, 10 Concord Street, to become effective with the November 8, 2016 Election.**

**Planning & Development: August 3, 2016**

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council renew an amendment to GCO Sec. 22-288 "Off Street Parking Areas" by ADDING Rogers Street Parking Lot at #65 Rogers Street and a description of the lot as 74 parking spaces and 4 handicapped parking spaces for a total of 78 parking spaces as shown on a plan submitted by the Department of Public Works for 65 Rogers Street Parking Lot dated 7/29/13 to expire one year from 08/09/16 and to be followed by one further one-year renewal subject to a City Council review.

**DISCUSSION:**

**Councilor Lundberg** explained the following: When the Council several years ago voted to allow 65 Rogers Street (I4-C2) to be used as an off-street parking lot, the vote contained a requirement that it be renewed every year. The purpose was to keep in everyone's mind the citizens of Gloucester didn't purchase I4-C2 to just end up as a parking lot but rather had hoped there would be plans for its development beyond that. While this action by the Council is ministerial, as there are no plans before the Council for the parcel's development from the Administration, although those plans as to how the parcel is to be developed and proceed with an RFP have been requested by the P&D Committee, the Council will need to vote to continue 65 Rogers Street use as a parking lot.

**Councilor LeBlanc** said four years ago the Council voted to allow 65 Rogers Street be used as a parking lot while the Administration worked to develop and follow through with plans for the development of this property and that it would be already in process by now. He said while the city is trying to utilize the property as much as possible, when the property was purchased it wasn't intended by the Council to be a parking lot in perpetuity. There needs to be a plan, he said, and that with a new Council and Administration they can work together to develop the property to give the downtown a needed, "shot in the arm." He challenged the Council and Administration to come up with ideas so that they don't have to keep voting to make 65 Rogers Street a parking lot annually.

**MOTION: On a motion by Councilor Lundberg, seconded by Councilor Cox, the City Council voted 8 in favor, 0 opposed, 1 (Nolan) absent, to renew an amendment to GCO Sec. 22-288 "Off Street Parking Areas" by ADDING Rogers Street Parking Lot at #65 Rogers Street and a description of the lot as 74 parking spaces and 4 handicapped parking spaces for a total of 78 parking spaces as shown on a plan submitted by the Department of Public Works for 65 Rogers Street Parking Lot dated 7/29/13 to expire one year from 08/09/16 and to be followed by one further one-year renewal subject to a City Council review.**

**Scheduled Public Hearings:**

1. PH2016-037: Amend GZO Sec. VI "Definitions" re: Open Space and Compost Facility/Composting Operation

**This public hearing is opened at 7:57 p.m.**

**Council President Ciolino** advised that the matter is still in the P&D Committee as they are awaiting a recommendation from the Planning Board, and so continued the public hearing to August 23.

**This public hearing is continued to August 23, 2016.**

**2. PH2016-042: Petition for road repairs in accordance with Article IV “Repair of Private Ways,” Sec. 21-80 et seq**

**This public hearing is opened at 7:51 p.m.**

**Those speaking in favor:**

**Susan Destino**, 7 Starknaught Road, said she wished to clarify that she submitted valid paperwork for the petition and had asked some of the property owners of Starknaught Road for their permission to sign the petition for them as they were out of town so that their names could be placed on the petition on their behalf, all of whom later voiced their approbation of the petition in person. This petition, she said, is to get Starknaught Road paved along with Starknaught Heights, Oxford Road and Joseph’s Way. Starknaught Road is graded, and is to be repaired and paved, she noted. She asked the Council to continue the process to get the road paved. While the grading has improved conditions, the abutters voted in favor and asked the Council to endorse the petition.

**John Stempeck**, 9 Starknaught Heights, said that it has been a year and a half process to get the four adjacent private roads paved through a betterment project and that he was in favor of Starknaught Road being paved.

**Joel Favazza**, Seaside Legal Solutions, 111 Main Street, representing Glenda Zink, 17 Oxford, 18 and 20 Starknaught Road, requested on her behalf that the entire road be paved rather than stopping at the intersection of Oxford and Starknaught Roads and to not skip the six homes at the end of Starknaught Road.

**Those speaking in opposition:**

**Janet Rice**, 15 Starknaught Road, and owner of a property on 13 Oxford Road, pointing to a list of all city private roads which she said is substantial. She said she is not against improving the road but that there is no easy solution. She said her understanding is that only two private roads have been accepted as public ways over the past 16 years. The city has been using the Code of Ordinances, Article IV, Chapter 21, and she said she contends that Starknaught Road doesn’t qualify for this paving program under GCO 21-80, -81, -83, 84 and -85. She said the ordinance needs streamlining and clarity so that it isn’t a long, drawn out process that ends up with contention between neighbors. She claimed there is no certified engineering report (for Starknaught Road] as mandated by ordinance on file or back-up documentation for paving estimates on file. While the road is better now, but when it rains, it will wash out as it has through the years, she said. She said she attended the B&F meeting where the Committee reignited a proposed \$80,000 for the paving of Starknaught Road to \$71,000 which she said was still too much as the abutters were promised a 17% savings, as other savings percentages haven’t been realized for the other private roads involved in the paving projects adjacent to Starknaught Road. She said there are a lot of missteps, miscommunication, and a lack thereof and in her opinion a misuse of petitions. She requested that the Council not authorize the \$71,000 to go forward for paving for Starknaught Road and Oxford Road not to go forward until there is a system that makes sense. She said she prefers to work proactively to change the way in which private roads work with the city to be paved. She concluded her remarks by asking who is responsible for this project overall.

**Jay Gustafarro**, 9 Starknaught Road, recounted when Mayor Squillace was in office the (Starknaught) road was paved and the abutters voted for it under the assumption the city would take over the road and maintain it which didn’t happen. He said this is the second time this matter has come forward. He said he didn’t support this Council action. Starknaught Heights is paved, he said, and a trench is already formed on the side of the road with the water undercutting the roadway. Starknaught Road has a giant piece of ledge, and he recalled as a Councilor in the 1990’s he showed the road to the then DPW Director who advised that paving over the ledge without blasting it out would be fruitless and is another reason why he said he was not in favor of the road to be paved. The residents of Starknaught Road voted this down previously, and the second time it was brought forward to the abutters he expressed his concern that the process was not appropriate and complete.

**Communications: None.**

**Councilor Questions:**

**Councilor Cox** asked if there are engineering plans (for Starknaught Road), if the road will be paved 100% and will the upcoming loan order for \$71,000 cover the paving project and is the city borrowing more money than necessary. **Mike Hale**, Public Works Director said, “Yes,” there are plans on record. He said there are two options -- to do it or not to do it and the loan order upcoming will cover the cost of paving the entire road. The prices he

gave to then Councilor Paul McGeary which was handed over to Councilor Memhard hasn't changed. There were some options at the beginning as to the level of construction required. One option was chosen and the pricing hasn't changed, he said.

**Councilor Orlando** clarified that the Council is only talking about Starknaught Road not any other adjacent private roads being paved through betterment projects. He confirmed with Mr. Hale that the paving estimate for Starknaught Road has always been \$71,000 which was the chosen option by the abutters to pave the entire road. It is not changed from when they gave it to former Councilor McGeary.

**Councilor Gilman** asked when the Starknaught Road abutters voted down a petition for paving. **Chip Payson**, General Counsel, said last year said the abutters voted a petition down when all four roads (Starknaught Heights, Oxford Road, and Joseph's Way with Starknaught Road) went to the Council with petitions. The abutters of Starknaught Road in December chose to vote down their petition, and the Council dismissed it without prejudice. The Starknaught Road abutters met again in March 2016, to started the process over with a majority vote of the Council. There is no statute of limitations on petitions of this nature, and it can be revoted by the abutters, he said. He noted that the ordinance allows for abutters to do petitions until they get the majority they need. **Councilor Gilman** asked for an update as to eligibility of Starknaught Road to be a public way. **Mr. Hale** said there are two distinct processes. There is a private road petition by abutters to have the city pave their private road with it being paid for by betterment of the abutters and the petition is done by the abutters. Another process is to have a private road be accepted as a public way, and those who have the rights to the road would solicit the city under General Law to be accepted as public. The city's paving ordinance in GCO Sec. 21-80 et seq has a statement about whether or not the way can be taken public. He explained that subdivision standards lays out what the city envisions being a road for a public way – the width, grade, width of sidewalks, utilities. Most city roads predate subdivision controls and not all meet those standards but a lot do. Going forward it is what does the city want to accept as public ways and it is roads that meet the standards or with minimum waivers. He mentioned a newer subdivision in Ward 5 less than 20 years old that may end up before the Council where they may ask the city to take as public. He advised that road has streetlights, sidewalks, and other features that meet the city's standards. He said those are the roads the city should be accepting as public ways. This process before the Council isn't about whether a road is public or not, rather it is about whether a neighborhood wants to pave their private way. **Mr. Payson** added that to be clear, under GCO Article IV, Repair of Private Way talks about becoming eligible for conversion to public ways but doesn't require it. It says, "May become eligible for conversion to public way..." He said the paving isn't hinged on it for certain, "shall" become a public way. If the city moves forward in honoring the abutter's request and paves (Starknaught Road), the Ordinance, he reiterated, says "may" not "shall."

**Councilor LeBlanc** asked Mr. Payson to review the steps of the process under the ordinance for the petition. Mr. Payson reviewed as follows: that the process under GCO Sec. 21-84 and 21-85 has many steps, one of the steps is that the abutters have to come together in a majority and the majority of the abutters have to cast two votes -- one in favor of doing the project, and another vote for doing the project for a certain specified amount of money. In 2015 when these four private roads were moving together to petition for private road paving, the abutters of Starknaught Road came together at that time and voted but didn't achieve the majority threshold needed to move a petition forward and essentially failed under the ordinance parameters. When it came before the Council in December 2015 the Council couldn't act on the petition because the abutters didn't achieve a majority vote and so the petition was done. The abutters got together again to start the process over, and on March 17, 2016 starting from scratch, the abutters had a meeting and took two votes and achieved a majority and then the abutters moved the new petition forward based on the majority vote they achieved at the March 17 meeting. **Councilor LeBlanc** discussed the petition documentation validity briefly with **Mr. Payson** who said that the intent of the law is that the majority of the abutters support this petition which is contained appropriately in the Council's documentation. He said he believed they are doing this legally. This is for the entire Starknaught Road to be completely paved, he added.

**Councilor O'Hara** confirmed the engineering plans are in place and as for the quality of road after this is paving is done, the residents will have a roadway that will stand up over time. **Mr. Hale** said roads last about 15 to 20 years. These roads are less travelled, but existing conditions aren't ideal and pointed out that Starknaught Heights and Joseph's Way only have a binder coat down and berms aren't in place. These adjacent private roads are bundled as a paving package and are why he was able to hold their paving costs. If this Council action doesn't move forward this evening Starknaught Road will not be paved this paving season, he advised. **Mr. Payson** added that ordinance 21-85(b) requires two votes taken and one deals with the amount of money to be spent for the paving, and at the March meeting of the abutters, they authorized that the paving costs not exceed \$71,000. The CFO who presented the loan order at the B&F Committee meeting recently, typically rounds up such loan orders, and a conversation with the Committee he noted that fact, and the Committee amended the loan amount to come back down to the exact number the abutters authorized at the March 17 meeting.

**Councilor Gilman** understood it is a majority vote and asked how many voted in favor and opposed. Mr. Payson said that 10 voted yes, 6 voted no. **Councilor Gilman** is there something other than a full paving that is less costly than \$71,000 such as laying gravel on the road only. **Mr. Hale** said they weren't petitioned to make a gravel road but to pave a road.

**Mr. Payson** addressing the question posed by Janet Rice through Councilor Orlando about who controlled the paving project said that once the project is voted in the affirmative by the Council it is turned over to the DPW to effectuate the paving of the road.

**Councilor O'Hara** said that a majority of the abutters voted 10 to 6 to pave the road so why is there any Council action necessary. **Mr. Payson** said the Council has to accept and approve the abutter's petition and the Council has to vote the money. The package is sufficient, he said.

**This public hearing is closed at 8:26 p.m.**

COMMITTEE RECOMMENDATION: On motion by Councilor Memhard, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council under Sec. 21-83 of the Gloucester Code of Ordinances that the City is to repair/repave the private way of Starknaught Road. The abutters of Starknaught Road agree to provide all easements, rights of way, designs, permits and legal certifications necessary for said improvements. The cost resulting from said improvements to be carried out is based on Sec. 21-83, "Funding for approved Construction and Repair." The full cost of this project is not to exceed \$71,000; one hundred percent of the costs shall be borne by abutters and assessed as betterments.

#### DISCUSSION:

**Councilor Orlando** said this is not about developing a public road. The idea is that the ordinance has neighbors come together in a majority fashion to decide have the private road paved with the city acting as the contractor to get it done and is the intent. He said he and Councilor Memhard have worked hard with the abutters to achieve consensus. He said there are serious accusations made as to the validity of the documentation of the petition which he said was very concerning. The Council, he pointed out, is charged to ensure all the boxes are checked and that the paving project is a good idea for the city. He said the Starknaught Road area is a dense neighborhood and questions of public safety for emergency access are tantamount. As to funding, he said, he sees no issue with the funds and it was set at \$71,000 although the CFO rounded up and it was brought back to \$71,000 by the B&F Committee as voted by the abutters as their limit. This action is about what is in the best interest of the neighborhood he said, and offered his support thanking Councilor Memhard and General Counsel for their work.

**Councilor Memhard** expressed his appreciation to the city staff involved. The intent is clear, he said, and is most important. The process is quite technical, he pointed out. This is a neighborhood issue that can be complex and it was, but it is important to do the process with respect. The intent is consistent in that the majority of abutters want the roadway improved with the assistance of the city. This is a group of people who have followed the letter of the ordinance and he said he would support it based on the way the ordinance was structured.

**Council President Ciolino** said he started out as a Ward Councilor and encountered this issue as well. As a Council, they have to make hard decisions -- this is a quality of life and safety issue. They have to look to the common good and he, too, said he would support the petition.

**MOTION: On motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Nolan) absent, that under Sec. 21-83 of the Gloucester Code of Ordinances that the City is to repair/repave the private way of Starknaught Road. The abutters of Starknaught Road agree to provide all easements, rights of way, designs, permits and legal certifications necessary for said improvements. The cost resulting from said improvements to be carried out is based on Sec. 21-83, "Funding for approved Construction and Repair." The full cost of this project is not to exceed \$71,000; one hundred percent of the costs shall be borne by abutters and assessed as betterments.**

### **3. PH2016-043: Loan Order #2016-003: Loan Authorization in the amount of \$80,000 for Betterment Project on Starknaught Road**

**This public hearing is opened at 8:33 p.m.**

**Those speaking in favor: None.**

**Those speaking in opposition:**

**Kyle Silva**, 42 Friend Street, Apt. 6, speaking for his grandmother who lives at 17 Starknaught Road, said he didn't understand why the road couldn't be paved with taxpayer funds and expressed he didn't agree that the funds were to be paid for by a 100% betterment of the abutters.

**Evan Shea**, 15 Starknaught Road, and acknowledged his mother was Janet Rice, recounted that there was one vote in October, one in December and Starknaught Road petition failed because majority issues. He said Starknaught Road's petition was formally withdrawn in December of 2015. He said he didn't believe that the documentation of the petition was valid, and that wasn't following its own ordinances in taking out a loan.

**Ms. Rice** asked for access to the certified engineering report and how the paving estimates were generated. She said none of that information has been offered up and asked for copies.

**Mr. Gustaferry** voiced his objection to the loan order.

**Mr. Favazza**, Seaside Legal confirmed that Ms. Zink whom he represents (see previous public hearing) that the paving is for the entire road and she is in favor.

**Communications: None.**

**Councilor Questions:**

**Councilor Orlando**, responding to **Councilor Gilman** who asked for clarification over the assertion of a 17% savings by the abutters on the road paving not having been realized, said that the abutters would have save 17% if all four roads adjacent roads were paved at the same time, but that up to \$71,000 was the number voted on by the abutters and is the number that was approved. The savings would have occurred had all four roads been paved together at once but didn't happen because Starknaught Road's petition didn't come forward until now.

**Council President Ciolino** asked if \$71,000 included blasting. **Mr. Hale** said originally the paving was for \$71,000 and blasting was the higher priced option that was not chosen by the abutters.

**This public hearing is closed at 8:44 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor Orlando, seconded by Councilor Ciolino, the Budget & Finance Committee voted 3 in favor, 0 opposed, to recommend that the City Council authorize the following loan order:

Ordered: That Seventy One Thousand Dollars (\$71,000) is appropriated to pay costs of making temporary repairs, including paving, to the following private way:

Starknaught Road

To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to MGL Chapter 4, §7(5), or pursuant to any other enabling authority. Although any borrowing by the City to meet this appropriation shall constitute a general obligation of the City and a pledge of its full faith and credit, one hundred percent (100%) of the amount needed to repay any borrowing shall be raised through the assessment of betterments upon the abutters of the private way, in accordance with MGL Chapter 80, and any other applicable authority. The Mayor and any other appropriate official of the City are authorized to take any and all actions necessary to assess the betterments described above, the term of which shall not exceed ten years.

Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under MGL Chapter 44A any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.

**DISCUSSION: None.**

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Nolan) absent, to authorize the following loan order:**

**Ordered: That Seventy One Thousand Dollars (\$71,000) is appropriated to pay costs of making temporary repairs, including paving, to the following private way:**

Starknaught Road

**To meet this appropriation the Treasurer, with the approval of the Mayor is authorized to borrow said amount under and pursuant to MGL Chapter 4, §7(5), or pursuant to any other enabling authority. Although any borrowing by the City to meet this appropriation shall constitute a general obligation of the City and a pledge of its full faith and credit, one hundred percent (100%) of the amount needed to repay any borrowing shall be raised through the assessment of betterments upon the abutters of the private way, in accordance with MGL Chapter 80, and any other applicable authority. The Mayor and any other**



**appropriate official of the City are authorized to take any and all actions necessary to assess the betterments described above, the term of which shall not exceed ten years.**

**Further Ordered: That the Treasurer is authorized to file an application with the Municipal Finance Oversight Board to qualify under MGL Chapter 44A any or all of the bonds authorized by this order and to provide such information and execute such documents as the Municipal Finance Oversight Board may require for these purposes.**

**4. PH2016-040: Amend GCO Sec. 22-285 “Parking of trucks, trailer trucks and other commercial vehicles” subsection (d) re: Harbor Loop (Cont’d from 07/26/16 CCM)**

**This public hearing is opened at 8:46 p.m.**

**Those speaking in favor:**

**Robert Ryan**, 3 Blake Court, Chair of the city’s Traffic Commission speaking for them as a whole, he said they are in favor of the Council amendment to the ordinance. He said this action is threefold -- it is for safety reasons; to mitigate congestion on Harbor Loop; and to group tractor trailer parking onto Rogers Street. He pointed out there is tractor trailer parking on Rogers Street and Harbor Loop. As relates to mitigating congestion, **Mr. Ryan** said that Harbor Loop is also an attraction for tourism with the Fitz Henry Lane House, the U.S. Coast Guard Station, Maritime Center, the marine railways, and the Gloucester Launch, and that area acts as a tourism hub. Harbor Loop is part of the Harbor Walk, so the goal is to make it tourist friendly but not displace the tractor trailers, but to put them together in a safer spot for all concerned. What is proposed on Rogers Street where Americold, National Grid and Gorton’s of Gloucester is located. Currently on the northern side of Rogers Street from the Rose Baker Senior Center parking lot to the Gorton’s office building is tractor trailer parking. Now there will be more tractor trailer parking instituted, going from the east side of the entrance to Americold on the southerly side of Rogers Street right up to the west side of Gorton’s plant parking lot. This is adding approximately 75 to 80 more feet more space for tractor trailers than is available on Harbor Loop. Over the years there have been tractor trailers without cabs on Harbor Loop, and it is difficult just from the geography of the Loop being a horseshoe with 30, 40 or 50 foot tractor trailers parked there. Addressing the safety issue, **Mr. Ryan** pointed out that children especially going to the Maritime Center are running off the hill across the street between tractor trailers. While this is taking tractor trailers off of Harbor Loop it will also add car parking to Harbor Loop while adding more tractor trailer parking to Rogers Street. He reiterated this action is not doing away with tractor trailer parking but simply relocating that parking several blocks away onto Rogers Street.

**Tom Balf**, 15 Brier Court, and Executive Director, Maritime Gloucester on Harbor Loop, said that Maritime Gloucester is not just a tourist attraction but a change agent in support of the city’s waterfront. He said he didn’t see this issue as a big issue of the DPA but a parking issue that hopefully has a reasonable solution associated with it. He said Maritime Gloucester visitors are constrained by Harbor Loop parking. He said the only time box trucks or tractor trailers arrive to park on Harbor Loop is in the afternoons, and that Maritime Gloucester is busiest between 10:00 a.m. to 2:00 p.m. He said this is about crafting a solution that doesn’t affect the Designated Port Area (DPA) and working waterfront which can be done with those with a vision for a working waterfront.

**Those speaking in opposition:**

**Ann Molloy**, Ocean Crest Seafood and Neptune’s Harvest, Commercial Street, said that in looking at the map (GIS photographic map on file) this is not an equal exchange of tractor trailer parking spaces from Harbor Loop to Rogers Street and described the spaces indicated on the map and what was being exchanged and the technical tractor trailer parking issues there. Currently they get four trucks on Harbor Loop. The spots in front of Gorton’s, they’re losing six to eight spots and getting two, and that they are already unregulated and already in use by trucks. There are two signs put up illegally, she said, and showed the Council photographs (not placed on file) depicting signs installed, next to the Building Center on Harbor Loop and another near Gorton’s, that says, “No parking on this street of semi-trailers and semi-trailer units.” The sign at Gorton’s (photograph not placed on file), she said, says, “Operating refrigeration units prohibited Monday through Friday 7 p.m. to 7 a.m. anytime on Saturday and Sunday.” She suggested parking taken from Harbor Loop previously was possibly was not done by appropriate city process.

She recommended the Council leave the tractor trailer parking spaces alone on Harbor Loop and adding tractor trailer parking onto Rogers Street, but that the second related public hearing also includes bus parking. She said if tour buses are allowed to park on Rogers Street, then they have gained nothing for businesses. She pointed out they would lose spaces on Harbor Loop and gained nothing on Rogers Street if tour buses are in the spots when Ocean Crest’s and Neptune’s Harvest drivers get back to town. She expressed concern that businesses that use these

parking spaces weren't notified such as Gloucester Trucking, Snyder Transportation, NWD, USPS, Americold, National Grid and other trucking concerns that use the spaces to obtain their opinion on this matter.

As to safety issues, trailer trucks have had cars hit them rather than the other way around on Rogers Street pulling in and out of parking spaces, and that Harbor Loop is safer for tractor trailer parking. She asked the Council not make it more difficult for city businesses and vote no for this change. She mentioned that Mr. Balf submitted a communication noting that visitors to Maritime Gloucester have issues finding parking for cars in and around Harbor Loop. All of Harbor Loop and Rogers Street is in the Marine/Industrial District and in the DPA but she said she didn't believe that was the case and cited many areas cars can park in that area.

**Ms. Molloy** cited that all of Harbor Loop and Rogers Street is part of the Marine Industrial District and in the DPA. The roads are included in the DPA to protect the Marine/Industrial businesses in the DPA. She noted she was on the Harbor Planning Committee, and the goal, she said, is the expansion of the city's fisheries processing and other water dependent uses. She read from page 60 of the Harbor Plan, "in the overall calculation of how to allow greater flexibility in the uplands of the M/I zone, it is assumed that certain properties would be permanently water-dependent uses including the DPA roadways." She said that the roads were used in these calculations that helped to have East Gloucester removed from the DPA altogether. She pointed out that they are trying to expand their business by installing a crab plant, she noted, which will require more truck parking not less. She added that the city is encouraging other businesses to expand and grow marine/industrial business in the city. She asked the Council not to push out the working waterfront and trailer trucks are part of it.

**Under MGL c. 286A Councilor Memhard recused himself from the discussion and vote on this matter as he serves on the Board of Directors and Executive Committee of Maritime Gloucester for 12 years, and is a business abutter to Ocean Crest Seafood and Neptune Seven Seas on Commercial Street and has formerly done considerable business with them and is currently involved in a legal dispute with them at this time. He then left the dais.**

**Mr. Gustafarro** said this is another crossroads where they can vote for more tourism or vote against ugly tractor trailers and the working waterfront. He mentioned the largest working vessel to tie up next to the Building Center and when it is docked it brings in many trailer trucks that need to park on Harbor Loop in order to be ready to offload the boat. He asked the Council to not take away the tractor trailer parking in Harbor Loop.

**Christine Sherman**, 95 Concord Street, said that she is a commercial fisherman's wife and has owned a vessel for 38 years. She said the city can't afford to take anything away from the working waterfront, and the spaces need to be there for trucks. She asked the Council to vote against the ordinance amendment to remove parking of trailer trucks from Harbor Loop.

**Valerie Nelson**, 7 Sunset Point Road, read a letter from Angela Sanfilippo (placed on file), who didn't wish to see tractor trailer parking removed from Harbor Loop. Ms. Nelson noted the 2014 Harbor Plan approved by the state as referenced by Ms. Molloy. She said there was a grand compromise made where the entirety of East Gloucester was removed from the DPA. The delicate and careful calculation for the sake of agreeing to that flexibility that acres of properties would be in permanent DPA, which included 2.7 acres of roadways for water dependent use. Gloucester has an obligation to protect its working waterfront and must comply for ten years, she pointed out. It is incumbent on the city to keep its promise to the working waterfront and the state, she said, and the goal of the plan is to expand the working waterfront.

**Laurel Tarrantino**, 16 Commonwealth Avenue, voiced her objection to the removal of tractor trailer parking from Harbor Loop.

**Sunny Robinson**, 20 Harvard Street, reiterated that if they talk to a lot of people who come to Gloucester for tourism they come here because it is a gritty, unusual working port. She asked the Council to keep that in mind when they put restrictions on the marine industries in the city. The tourism and marine industries are woven together and need to stay that way, she said, and urged no steps be taken to add a burden to the marine industries.

**Joe Giacalone**, 16 Gould Court, said that the best thing to do is leave tractor trailers on Harbor Loop. He said there are parking enforcement issues with signs that are confusing and with this proposal they need to look at clarification of the signage posted on Harbor Loop and Rogers Street.

**Rebuttal:**

**Mr. Ryan** clarified that they are talking about GCO Sec. 22-285 which is nothing to do with tour buses. The proposal is to relocate tractor trailers from Harbor Loop to 500 yards away to Rogers Street. As to refrigeration units parked on city streets, he said that the only area prohibited from refrigerated units is Main Street from 7:00 p.m. to 7:00 a.m., not on Harbor Loop or Rogers Street. This is an effort to put all tractor trailers into one commercial area. While he supports the fishing industry wholeheartedly and said that he descends from a fishing

family, this is simply moving the trucks 500 feet and not an attempt to inhibit the marine/water-dependent businesses.

**Communications:** **Tom Balf**, Executive Director of the Gloucester Maritime Center, in favor of removing tractor trailer parking on Harbor Loop to another location nearby on Rogers Street; **Patti Page**, 3 Tidal Cove Way, asking there be no changes to tractor trailer parking on Harbor Loop; **Bruce Horne**, Transportation and Warehousing Manager advising the changes to Harbor Loop tractor trailer parking will have no adverse impact on Gorton's of Gloucester's operations.

**Councilor Questions:**

**Councilor Cox** noted Mr. Ryan measured the distance of the trailer truck parking on Harbor Loop and asked him to enumerate the footage. **Mr. Ryan** said the Council by ordinance would be deleting under GCO Sec. 22-285 from the westerly side of Harbor Loop to eliminate 142 feet, and on the easterly side to eliminate 200 feet for a total of 342 feet of trailer truck parking. It is propose to add 420 feet for trailer truck parking on Rogers Street.

**Councilor Cox** asked if semi-trucks can park on Harbor Loop because she pointed out there is a sign that says they can't. **Mr. Ryan** said, "Yes," semi-trucks can park on Harbor Loop according to the Code of Ordinances. He said the existing sign there is outdated and should be removed likening it to the faded and illegible traffic signs on Rogers Street. **Councilor Cox** indicated that it is the same situation with the refrigerated ("reefer") truck parking on Rogers Street, that it is a case of a misplaced sign. **Mr. Ryan** confirmed it was the case reiterating the only ban on reefer parking is on Main Street 7:00 p.m. to 7:00 a.m. on Rogers Street is banned. **Councilor Cox** asked if tour buses can park on Rogers Street in the area reserved for trailer truck parking. **Mr. Ryan** said bus parking is at the top of the hill on Rogers Street in Flanagan Square and has signage. He pointed out there is a bus stop at Harbor Loop and at the Rose Baker Senior Center on Rogers Street. **Councilor Cox** said as far as tour bus parking in the trailer truck parking area, which is not possible. **Mr. Ryan** said a bus is a commercial vehicle so technically they can park in the trailer truck parking area as it also says, "other commercial vehicles." **Councilor Cox** said it is not an equal swap. **Mr. Ryan** confirmed it was not, that the city would be giving more space for tractor trailer parking on Rogers Street than exists now on Harbor Loop, by 78 feet.

**Councilor LeBlanc** said with an oversized vehicle trying to parallel park on Rogers Street with heavy traffic rather than Harbor Loop with less traffic is a concern. **Mr. Ryan** described that: from the northerly side of Rogers Street from the Rose Baker entrance of the parking lot to the Gorton's office building on Rogers Street is all trailer truck parking. On the other side of Rogers Street, it will be from the east side of the Americold entrance all the way up Rogers Street to the Gorton's plant parking lot. Then at the top of Flanagan Square is parking for buses, and then from Rowe Square all the way up to Flanagan Square is trailer truck parking. It is adding 78 feet, and there is always parking on the northerly side. Councilor LeBlanc said that he is concerned about a safety issue of tractor trailers parking on Rogers Street trying to squeeze into a space between vehicles. Councilor LeBlanc asked if it was legal to park campers and/or recreational vehicles on Harbor Loop. **Mr. Ryan** said it relates to the definition of a commercial vehicle and didn't know if such a vehicle falls under that definition.

**Councilor Gilman** asked about the safety issues that are of a concern and asked for a fuller explanation. **Mr. Ryan** said he has received calls over the years about Harbor Loop with kids coming down off the hill at the Fitz Henry Lane and running across the street and walking and running in and out of vehicles. **Councilor Gilman** asked how many parking spots would have to be eliminated to come up with safe passage at the bottom of the hill. **Mr. Ryan** said that was requested several years ago. It would have to be at least 30 feet, and would eliminate one tractor trailer truck. **Councilor Gilman** asked if there was a way to differentiate buses and keep them out of Harbor Loop. **Mr. Ryan** said he's never seen a bus parked at Harbor Loop. Buses are using 65 Rogers Street for parking or the top of Rogers Street at Flanagan Square. **Ms. Gilman** asked if all of Harbor Loop is in the DPA which members of the Council confirmed that it was.

**This public hearing is closed at 9:26 p.m.**

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 1 (Nolan) in favor, 2 opposed, to recommend that the City Council Amend GCO Sec. 22-285 "Parking of trucks, trailer trucks, and other commercial vehicles" by DELETING subsection (d) as follows:

"Harbor Loop, easterly side, space shall be provided for the parking of one trailer truck from a point beginning 392 feet from its intersection with Rogers Street, in a southerly direction for 142 feet."

And to Amend GCO Sec. 22-286 "Parking of trailers, semi-trailers and tour buses" by DELETING subsection (b) as follows:

“Rogers Street, southerly side, from a point 425 feet from its intersection with Rowe Square, for a distance of 80 feet in a westerly direction.”

#### **DISCUSSION:**

**Councilor Gilman** said there is not proper signage on Harbor Loop. She added that they're missing out on some kind of controlled data, and suggested a site visit with some of the concerned members of the community, Ms. Molloy and Mr. Balf. She said she was not ready to make this decision this evening.

**Councilor O'Hara** commented that while he has great respect for Mr. Ryan, Harbor Loop has historically had tractor trailer trucks parked there and that tourists come to see the working waterfront which Harbor Loop is part of. There is information that is lacking, he said, and a site visit would be helpful and at this time couldn't see this as favorable to the working waterfront.

**Councilor Orlando** stated that many excellent points were raised. He said Mr. Ryan gave accurate numbers but that he that he is weighing hardships. In moving the truck parking it is creating an inequity between marine dependent businesses versus the tourism. When people come to Gloucester they're not coming to see a city that used to be a fishing port. Gloucester is America's oldest fishing port, and is the attraction that it still is a working fishing port. The area in question is in the DPA and in the M/I zone, and is a non-starter for him, he said. Maritime Gloucester does great work through educational programs for children, but part of that education is the city's maritime history. He said it is contradictory to say they need to remove the maritime history of Gloucester in a place they're trying to educate about the city's maritime history. He said he prefers the parking left as is until they have a better solution to the problem and would not support this action this evening until there is a much better solution to the problem so as not to negatively affect the M/I district, the DPA and the city's working waterfront.

**Councilor Lundberg** said there are great points were made. There is a marriage of tourism and industrial use. There is a lot of anecdotal evidence there shouldn't be tractor trailer parking on Harbor Loop and the trailer trucks don't need to be on Harbor Loop 24/7. He said he would like to see further study on the matter.

**Councilor LeBlanc** said pointed out that the DPA, the M/I zone was in place along with trailer truck parking on Harbor Loop long before there was a Maritime Center there. If they start changing these small pockets of the M/I zone, he said they are setting a poor example for the rest of the city He pointed out that Rogers Street has bike lanes, high traffic volume and that he would rather see trailer trucks off the city's main roads. Tour and school buses come to the Maritime Center, and if Rogers Street is at capacity he questioned where trailer trucks would park. He said he supports tourism but within reason. He, too, pointed out that tourists come here to come see a working waterfront. Once erosion starts it is hard to stop, and this situation needs to be left alone, he said.

**Councilor Cox moved to withdraw Council Order CC2016-002 without prejudice, seconded by Councilor Orlando.** Councilor Cox said she would ask that the Administration fund a study of tractor trailer parking in the M/I zone/DPA.

**MOTION: On a motion by Councilor Cox, seconded by Councilor Orlando, the City Council voted by ROLL CALL 7 in favor, 0 opposed, 1 (Nolan) absent, 1 (Memhard) recused, to withdraw CC2016-002 as it relates to parking of tractor trailer trucks on Harbor Loop and on Rogers Street.**

5. **PH2016-041: Amend GCO Sec. 22-286 “Parking of trailers, semi-trailers and tour buses” subsection (b) re: Rogers Street (Cont'd from 07/26/16 CCM)**

**This public hearing is opened at 9:40 p.m.**

As Council Order CC2016-002 was withdrawn, it then renders this public hearing moot. This public hearing is closed without further Council action.

**This public hearing is closed at 9:41 p.m.**

*Councilor Memhard returned to the dais.*

#### **For Council Vote:**

1. **Warrant for State Primary September 8, 2016**

**MOTION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the City Council voted 8 in favor, 0 opposed, 1 (Nolan) absent), to approve the warrant for the State Primary Election to be held September 8, 2016.**

- 2. Budget & Finance Committee Report of January 21, 2016 re: Affordable Housing Trust for approval of Affordable Housing Trust funding in the amount of \$10,000 continued from the January 26, 2016 City Council Meeting for the 206 Main Street LP housing project until the Zoning Board of Appeals rendered its decision on the Project (ZBA decision filed on June 29, 2016)**

COMMITTEE RECOMMENDATION: On a motion by Councilor Memhard, seconded by Councilor Lundberg, the Budget & Finance Committee voted 2 in favor, 1 (Orlando) opposed, to recommend that the City Council appropriate \$10,000.00 for an affordable housing project as requested by the Affordable Housing Trust Committee for the 206 Main Street LP, Harbor Village Housing Project from Fund# 820022, Affordable Housing Trust fund for the purpose of supporting the creation of affordable rental units for households earning no more than 60 percent to Area Median Income adjusted for household size. Units shall carry a State Affordable Housing Restriction in perpetuity.

#### **DISCUSSION:**

**Councilor Orlando** said that the last time this matter was taken up he had questions concerning other expenses the city would have to put forward to support this 40B housing project. He said that those questions were answered by the Public Works Director who said that the city would have to do no associated infrastructure work to accommodate the project. He noted that the developers of 206 Main Street had asked for a waiver on the cost of city permitting which would have totaled \$192,000, but they withdrew that request. He said at most the expense of the project will amount to \$10,000 in legal fees which he indicated was reasonable. The project is better than an empty building, he added.

**Council President Ciolino** voiced his support to forward the funds to the 206 Main Street LP, Harbor Village Housing Project.

**MOTION: On a motion by Councilor Memhard, seconded by Councilor Orlando, the City Council voted 8 in favor, 0 opposed, 1 (Nolan) absent, to appropriate \$10,000.00 for an affordable housing project as requested by the Affordable Housing Trust Committee for the 206 Main Street LP, Harbor Village Housing Project from Fund# 820022, Affordable Housing Trust fund for the purpose of supporting the creation of affordable rental units for households earning no more than 60 percent to Area Median Income adjusted for household size. Units shall carry a State Affordable Housing Restriction in perpetuity.**

**Unfinished Business: None.**

#### **Individual Councilor's Discussion including Reports by Appointed Councilors to Committees:**

**Councilor Memhard** reported as Council Liaison to the Fisheries Commission that he originally served on the Commission 30 years ago with Angela Sanfilippo and Mayor Sefatia Theken. He said at that time the city was represented at the Boston Seafood Exhibition, and it is good to see the city returned to that convention which showcases the city's fresh and frozen seafood products. Al Cottone has been hired as the part-time Executive Director of the Fisheries Commission, a welcome step forward to promoting the needs of the Gloucester fishing industry. This active Commission is chaired by Mark Ring with a number of commercial fishermen comprising its membership which meets monthly. **Councilor Gilman** mentioned she had received a copy of "Our Food Plan" which incorporated a lot of the city's fisheries in it. She asked if that had been examined by the Fisheries Commission for alternative, future areas of development for Gloucester. **Councilor Memhard** said there is the Gloucester Fresh program, other branding for Gloucester landed product similar to what's done in the lobster industry but that he was unfamiliar with the document Councilor Gilman mentioned and would discuss it with the Commission. to promote the lobster industry and would discuss her question with the commission.

#### **Councilors' Requests to the Mayor:**

**Council President Ciolino** noted there are Council Rules of Procedure which he has reviewed, and has started working with the Personnel Director to draft changes to the Rules regarding the process for hiring a City Clerk, and is reviewing the Rules governing Standing Committee meetings. He said Councilors Memhard, LeBlanc and Lundberg, the Interim City Clerk and General Counsel will be a part of that group review of the Council's Rules of

Procedure. He said such a review and ultimate changes will help the next Council to have parameters on how to successfully navigate through Council meetings and Standing Committee meetings and related matters under the Council's purview. He advised that once the document is drafted, the Council will have an opportunity to review the new draft, and then vote on the amended document to be adopted at a future Council meeting. He also advised he is working with the Administration and City Clerk's office to bring in a speaker from the State Ethics Commission about the Open Meeting Law with city staff as well as the Council. He advised when arranged it will be on a Saturday morning, and that Rockport and Manchester will be invited to participate as well. Interim City Clerk, **Joanne Senos** said that the city hosted such a forum two years ago and that the city of Lowell is next to hold a regional meeting. If the city puts in a request and Lowell's forum falls through then Gloucester would be in line to host, she said.

**Councilor Orlando** heard from several people that there is a course to become a certified parliamentarian and would be looking to do something like that which may preclude a need to have the state come in to talk about meeting procedure. **Ms. Senos** said that there is a parliamentarian association and would look into the matter of educational seminars with the Councilor and share that information with the Council.

**Councilor Memhard** shared with the Council that he was approached by an elderly constituent, a veteran, who had trees obstructing the streetlight adjacent to his home, and mentioned it to the Clerk of Committees. He said based on her suggestion, he contacted Adam Curcuro, Veterans' Services Director as the problem was brought forward by George Belezos, a member of the Greatest Generation and a dedicated Gloucester veteran. He read an excerpt from the thank you note from Mr. Belezos for the work done to cut the trees and remove the debris from his property.

**Councilor Gilman** said Beauty and the Beast started tonight, presented by the Annisquam Village Players, and will run through Sunday night. Dress rehearsal saw about 60 seniors from Rose Baker Senior Center and 20 seniors from Rockport who watched the play for free, she noted.

**Councilor O'Hara** thanked Councilor Cox for bringing up the tractor trailer issue on Harbor Loop and Rogers Street, and putting in for a study and helping to get signage clarified and posted correctly.

**Councilor Orlando** said three different professional landscapers have offered to volunteer their time and equipment and a group of their own volunteers to help clean up the city's cemeteries, and he asked the Council to join with him to choose a day or two to get First Parish Cemetery back to a best possible condition to honor the veterans laid to rest in that cemetery. He advised that he and Councilor LeBlanc will plan a meeting for contractors, developers and real estate professionals to hear what issues they may face that could stand the way of their ability to do business in the city to increase job growth and bringing more business to the city with permitting processes and related city matters. He also asked when the next Tourism Commission meeting is to take place, as the Council's liaison, noting that Gloucester is a community that does rely on its tourism industry as one of the three arms that holds up the city's economy. **Councilor Cox** said she waited two years for a meeting on the Tourism Commission when she was the Council's liaison, and pointed out that as of now there is no one appointed now on the Tourism Commission as they are now all members of Discover Gloucester.

**Councilor LeBlanc** said he also spoke with Adam Curcuro, Veterans' Services Director, about rallying some veterans so that they, too, can help at the cemetery clean up.

**Council President Ciolino** said on Thursday at 11:30 a.m. the city will celebrate the YMCA clean team teens at Papa Gino's to acknowledge all the work they do. They weed green spaces, water the plants in the downtown and pick up trash. The Gloucester Downtown Association is paying for the luncheon and he invited the Councilors to join them there.

**A motion was made, seconded and voted unanimously to adjourn the meeting at 10:00 p.m.**

**Respectfully submitted,**

*Dana C. Jorgenson*  
**Clerk of Committees**

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- Written statements of Kathy and Richard Clarke of Beverly, Mass., regarding conditions at First Parish Cemetery and the Clarke Family Cemetery and related city obligations thereto
- Memo to City Council from Angela Sanfilippo related to tractor trailer parking on Harbor Loop and Rogers Street as part of the DPA roadways under Public Hearing #4 as submitted on her behalf by Valerie Nelson. Memo is undated.