CITY CLERK
GLOUCESTER, MA

12 AUG -1 AM 9:45

**GLOUCESTER CITY COUNCIL**
9 Dale Avenue, Gloucester, MA 01930
Office (978) 281-9720 Fax (978) 282-3051

CITY COUNCIL STANDING COMMITTEE
**Ordinances & Administration**
**Monday, August 6, 2012 – 6:00 p.m.**
**1st Fl. Council Conference Rm. – City Hall**
**AGENDA**
(Items May be taken out of order at the discretion of the Committee)

1. ***Continued Business:***

   A) Addendum to Mayor's Report for the May 22, 2012 City Council Meeting re: Mayor's decision to allow remote participation by the City Council and the City Council Standing Committees (Cont'd from 6/18/12)
   C) CC2012-032 (Whynott) City Council request to State for permission to allow 30 minute parking in front of the WWII Memorial (Cont'd from June 18, 2012)
   D) CC2012-036 (LeBlanc) Amend GCO c. 22, Sec. 22-274 "Two-hour parking between certain hours-Generally" re: Washington Street (Cont'd from 07/16/12) **TBC 09/17/12**
   E) CC2012-037 (Verga) Amend GCO c. 22, Sec. 22-287 "Disabled veteran, handicapped parking" re: Ocean Avenue #2 (Cont'd from 07/16/12) **TBC 09/17/12**
   F) CC2012-038 (McGeary) Amend GCO c. 2-218 "Deposit of coin required; overtime parking; exemption, Sec. 22-191 "Off-Street parking fees established" and Sec. 22-288 "Off-street parking areas (Cont'd from 07/16/12)
   G) CC2012-022 (Tobey) Amend GCO Sec. 22-289 re: Main Street Parking Meter Time Limits (Cont'd from 07/16/12)

2. CC2012-041 (Cox/Whynott) Amend GCO Chapter 22, Sec. 22-280 "Fifteen Minute Parking" re: 242 Main Street **TBC 09/17/12**

COMMITTEE
**Councilor Sefatia Theken, Chair**
**Councilor Robert Whynott, Vice Chair**
**Councilor Steve LeBlanc, Jr.**

***Committee members – Please bring relevant documentation***
Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor Carolyn Kirk
Jim Duggan
Linda T. Lowe
Robert Ryan

**The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.**

City Hall
Nine Dale Avenue
Gloucester, MA 01930

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ckirk@gloucester-ma.gov

CITY OF GLOUCESTER
OFFICE OF THE MAYOR

CITY CLERK
GLOUCESTER, MA
12 MAY 18 AM 11:34

**TO:** City Council

**FROM:** Carolyn A. Kirk, Mayor

**DATE:** May 18, 2012

**RE:** **Addendum to Mayor's Report for the May 22, 2012 City Council Meeting**

Councilors:

Under the Code of Massachusetts Regulations 940CMR, Section 29.10, (2) (a), as the Chief Executive Officer of the City of Gloucester, I am notifying you of my decision to allow remote participation by all local public bodies, in accordance with the requirements of said regulations.

I have attached a copy of the Attorney General's Open Meeting Law Guide for your information.

**preliminary screening committee, to consider and interview applicants who have passed a prior preliminary screening;**

This Purpose permits a hiring subcommittee of a public body or a preliminary screening committee to conduct the initial screening process in executive session. This Purpose does not apply to any stage in the hiring process after the screening committee or subcommittee votes to recommend candidates to its parent body, however it may include multiple rounds of interviews by the screening committee aimed at narrowing the group of applicants down to finalists. At the time that the executive session is proposed and voted on, the chair must state on the record that having the discussion in an open session will be detrimental to the public body's ability to attract qualified applicants for the position. If the public body opts to convene a preliminary screening committee, the committee must contain fewer than a quorum of the members of the parent public body. The committee may also contain members who are not members of the parent public body.

Note that a public body is not required to create a preliminary screening committee to consider or interview applicants. However, if the body chooses to conduct the review of applicants itself, it may not do so in executive session.

**9 . To meet or confer with a mediator, as defined in section 23C of chapter 233, with respect to any litigation or decision on any public business within its jurisdiction involving another party, group or entity, provided that:**

(i ) any decision to participate in mediation shall be made in an open session and the parties, issues involved and purpose of the mediation shall be disclosed; and

(ii) no action shall be taken by any public body with respect to those issues which are the subject of the mediation without deliberation and approval for such action at an open session.

**10. To discuss trade secrets or confidential, competitively-sensitive or other proprietary information that has been provided under the following circumstances:**

a. in the course of activities conducted by a governmental body as an energy supplier under a license granted by the department of public utilities pursuant to G.L. c. 164 § 1F;

b. in the course of activities conducted as a municipal aggregator under G.L. c. 164 § 134; or

c. in the course of activities conducted by a cooperative consisting of governmental entities organized pursuant to G.L. c. 164 § 136; and

d. when such governmental body, municipal aggregator or cooperative determines that such disclosure will adversely affect its ability to conduct business in relation to other entities making, selling or distributing electric power and energy.

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### May a member of the public body participate remotely?

The Attorney General's Regulations, 940 CMR 29.10, permit remote participation in certain circumstances. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

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## How can the practice of remote participation be adopted?

Remote participation may be used during a meeting of a public body if it has first been adopted by the chief executive officer of the municipality for local public bodies, the county commissioners for county public bodies, or

by a majority vote of the public body for retirement boards, district, regional and state public bodies. The chief executive officer may be the board of selectmen, the city council, or the mayor, depending on the municipality. See G.L. c. 4, § 7.

If the chief executive officer in a municipality authorizes remote participation, that authorization must apply to all public bodies in the municipality. 940 CMR 29.10(2)(a). However, the chief executive officer determines the amount and source of payment for any costs associated with remote participation, and may decide to fund the practice only for certain public bodies. See 940 CMR 29.10(6)(e). In addition, the chief executive officer can authorize public bodies in that municipality to "opt out" of the practice altogether. See 940 CMR 29.10(8).

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## What are the permissible reasons for remote participation?

Once remote participation is adopted, any member of a public body may participate remotely if the chair or, in the chair's absence, the person chairing the meeting, determines that one of the following factors makes the member's physical attendance unreasonably difficult:

- Personal illness;
- Personal disability;
- Emergency;
- Military service; or
- Geographic distance.

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## What are the acceptable means of remote participation?

Acceptable means of remote participation include telephone, internet, or satellite enabled audio or video conferencing, or any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another. Accommodations must be made for any public body member who requires TTY service, video relay service, or other form of adaptive telecommunications. Text messaging, instant messaging, email and web chat without audio are *not* acceptable methods of remote participation.

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## What are the minimum requirements for remote participation?

Any public body using remote participation during a meeting must ensure that the following minimum requirements are met:

- A quorum of the body, including the chair or, in the chair's absence, the person chairing the meeting, must be physically present at the meeting location;
- Members of a public body who participate remotely and all persons preset at the meeting location must be clearly audible to each other; and
- All votes taken during a meeting in which a member participates remotely must be by roll call vote.

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## What procedures must be followed if remote participation is used at a meeting?

At the start of any meeting during which a member of a public body will participate remotely, the chair must announce the name of any member who is participating remotely and which of the five reasons listed above requires that member's remote participation. The chair's statement does not need to contain any detail about the reason for the member's remote participation other than the section of the regulation that justifies it. This information must also be recorded in the meeting minutes.

Members of public bodies who participate remotely may vote, and shall not be deemed absent for purposes of G.L. c. 39, § 23D. In addition, members who participate remotely may participate in executive sessions, but must state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless the public body has approved the presence of that individual.

If technical difficulties arise as a result of utilizing remote participation, the chair or, in the chair's absence, person chairing the meeting may decide how to address the situation. Public bodies are encouraged, whenever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If a remote participant is disconnected from the meeting, the minutes must note that fact and the time at which the disconnection occurred.

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## What public participation in meetings must be allowed?

Under the Open Meeting Law, the public is permitted to attend meetings of public bodies but is excluded from an executive session that is called for a valid purpose listed in the law. Any member of the public also has a right to make an audio or video recording of an open session of a public meeting. A member of the public who wishes to record a meeting must first notify the chair and must comply with reasonable requirements regarding audio or video equipment established by the chair so as not to interfere with the meeting. The chair is required to inform other attendees of any such recording at the beginning of the meeting.

While the public is permitted to attend an open meeting, an individual may not address the public body without permission of the chair. An individual is not permitted to disrupt a meeting of a public body, and at the request of the chair, all members of the public shall be silent. If after clear warning, a person continues to be disruptive, the chair may order the person to leave the meeting, and if the person does not leave, the chair may authorize a constable or other officer to remove the person.

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## What records of public meetings must be kept?

Public bodies are required to create and maintain accurate minutes of all meetings, including executive sessions. The minutes, which must be created and approved in a timely manner, must state the date, time and place of the meeting, a list of the members present or absent, and the decisions made and actions taken including a record of all votes. Minutes must also include the name of any member who participated in the meeting remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. While the minutes must include a summary of the discussions on each subject, a transcript is not required. No vote taken by a public body, either in an open or in an executive session, shall be by secret ballot. All votes taken in executive session must be by roll call and the results recorded in the minutes. In addition, the minutes must include a list of the documents and other exhibits

## 29.08: Advisory Opinions

The Attorney General may issue advisory opinions on request or at his or her own initiative to provide guidance to public bodies and the public on changes to M.G.L. c. 30A, sec. 18-25, court decisions interpreting M.G.L. c. 30A, sec. 18-25, or other developments concerning M.G.L. c. 30A, sec. 18-25.

(1) The Attorney General shall ordinarily make a draft advisory opinion available for comment on the Attorney General's website at least 60 days prior to the planned issuance of the opinion. Notice of the posting shall be provided to the Commission.

(2) Comments on the draft advisory opinion shall be submitted, in writing, to the Attorney General at least 30 days prior to the planned issuance of the opinion.

(3) Action taken by a public body in good faith compliance with an advisory opinion, provided that the circumstances are not materially different, shall not constitute an intentional violation of the M.G.L. c. 30A, sec. 18-25.

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## 29.09: Other Enforcement Actions

Nothing in 940 CMR 29.06 or 29.07 shall limit the Attorney General's authority to file a civil action to enforce M.G.L. c. 30A, sec 18-25 M.G.L. c. 30A, sec. 18-25 pursuant to M.G.L. c. 30A, sec. 23(f).

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## 29.10: Remote Participation

(1) Preamble. Remote participation may be permitted subject to the following procedures and restrictions. However, the Attorney General strongly encourages members of public bodies to physically attend meetings whenever possible. By promulgating these regulations, the Attorney General hopes to promote greater participation in government. Members of public bodies have a responsibility to ensure that remote participation in meetings is not used in a way that would defeat the purposes of the Open Meeting Law, namely promoting transparency with regard to deliberations and decisions on which public policy is based.

(2) Adoption of Remote Participation. Remote participation in meetings of public bodies is not permitted unless the practice has been adopted as follows:

(a) Local Public Bodies. The Chief Executive Officer, as defined in M.G.L. c. 4, sec. 7, must authorize or, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that authorization or vote applying to all subsequent meetings of all local public bodies in that municipality.

(b) Regional or District Public Bodies. The regional or district public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote

applying to all subsequent meetings of that public body and its committees.

(c) Regional School Districts. The regional school district committee must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(d) County Public Bodies. The county commissioners must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of all county public bodies in that county.

(e) State Public Bodies. The state public body must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(f) Retirement Boards. A retirement board created pursuant to M.G.L. c. 32, sec. 20 or M.G.L. c. 34B, § 19 must, by a simple majority, vote to allow remote participation in accordance with the requirements of these regulations, with that vote applying to all subsequent meetings of that public body and its committees.

(3) Revocation of Remote Participation. Any person or entity with the authority to adopt remote participation pursuant to 940 CMR 29.10(2) may revoke that adoption in the same manner.

(4) Minimum Requirements for Remote Participation.

(a) Members of a public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other;

(b) A quorum of the body, including the chair or, in the chair's absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c. 30A, sec 20(d);

(c) Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, sec. 23D.

(5) Permissible Reasons for Remote Participation. If remote participation has been adopted in accordance with 940 CMR 29.10(2), a member of a public body shall be permitted to participate remotely in a meeting, in accordance with the procedures described in 940 CMR 29.10(7), if the chair or, in the chair's absence, the person chairing the meeting, determines that one or more of the following factors makes the member's physical attendance unreasonably difficult:

(a) Personal illness;

(b) Personal disability;

(c) Emergency;

(d) Military service; or

(e) Geographic distance.

(6) Technology.

(a) The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. Accommodations shall be made for any public body member who

requires TTY service, video relay service, or other form of adaptive telecommunications.

(i) telephone, internet, or satellite enabled audio or video conferencing;

(ii) any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.

(b) When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.

(c) The public body shall determine which of the acceptable methods may be used by its members.

(d) The chair or, in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

(e) The amount and source of payment for any costs associated with remote participation shall be determined by the applicable adopting entity identified in 940 CMR 29.10(2).

(7) Procedures for Remote Participation.

(a) Any member of a public body who wishes to participate remotely shall, as soon as reasonably possible prior to a meeting, notify the chair or, in the chair's absence, the person chairing the meeting, of his or her desire to do so and the reason for and facts supporting his or her request.

(b) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940 CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.

(c) All votes taken during any meeting in which a member participates remotely shall be by roll call vote.

(d) A member participating remotely may participate in an executive session, but shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by a simple majority vote of the public body.

(e) When feasible, the chair or, in the chair's absence, the person chairing the meeting, shall distribute to remote participants, in advance of the meeting, copies of any documents or exhibits that he or she reasonably anticipates will be used during the meeting. If used during the meeting, such documents shall be part of the official record of the meeting, and shall be listed in the meeting minutes and retained in accordance with M.G.L. c. 30A, sec. 22.

(8) Effect on Bylaws or Policies. These regulations do not prohibit any municipality or public body from adopting bylaws or policies that prohibit or further restrict the use of remote participation by public bodies within its jurisdiction.

(9) Remedy for Violation. If the Attorney General determines, after investigation, that 940 CMR 29.10 has been violated, the Attorney General may resolve the investigation by ordering the public body to temporarily or permanently discontinue its use of remote participation.

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# Office of the City Clerk

**9 Dale Avenue • Gloucester, Massachusetts 01930**
**Phone: 978-281-9720 Fax: 978-282-3051**


August 2,2012

**TO: City Council , O&A**

**FROM:** Linda T.Lowe,City Clerk for Ad Hoc Remote Participation Committee LTL

**RE: Recommendations for City Council Procedures for Remote Participation**

As requested by O&A Councillor McGeary and IT Director John Blanchard and I have met and discussed how the City Council should regulate remote participation by its members. This memo summarizes our progress to date.

Following the May 18, 2012 authorization by the Mayor to allow remote participation by all city public bodies under the Attorney General Open Meeting Law Regulations 940 CMR.29.10(2)(a) the Council moved forward with allowing remote participation by city councilors and the Council has now twice conducted meetings with a councillor participating remotely.

In order to assure that meetings where a councillor participates remotely are conducted pursuant to the OML regulations enacted by the AG the council needs to adopt its own internal policies or guidelines which are consistent with the OML regulations.

These policies and guidelines should include:

1) A form on which the councillor (or a designee) has requested in writing that they may participate remotely on which the Council President may sign granting permission.
2) The form would provide the Councillor list the reason for their absence which must be one of the categories authorized by the OML regulations: personal illness; personal disability; emergency (personal or family); military service; or geographic distance from the meeting place.
3) A declaration of which methods of technology will be used and allowed so long as consistent with the general methods referenced in the OML regulations: (a) telephone, internet, or satellite enabled audio or video conferencing and (b) any other technology which enables the remote participant to be clearly audible to all persons present at the meeting and if possible to be visible to all.

The Ad Hoc Com. is working on making feasible minor improvements to the auditorium to allow audio conferencing and a version of video conferencing by making use of the existing projector and screen together with a laptop Skype type setup. The long term goal is of course to make more significant overall improvements to the auditorium audio/visual/cable systems to provide the best possible technology.

Whatever method of technology is used will of course require the remote participant to have adequate and compatible technology available to them such as a tablet or P.C. with the proper software or at least a proper phone connection.

The Ad Hoc Comm. is continuing to work on arranging for appropriate technology including a new conference phone which will be available once properly connected by IT or its contractors.

Finally the O&A would want to finalize some element s of these recommendations for possible amendments to the Council Rules of Procedure.

Attachments:

Town of Marshfield Remote Participation Policy
Town of Westwood Remote Participation Policy and Form
Town of Ipswich Request Form

Copy to: Councillor Paul McGeary
John Blanchard , IT Dir.



August 2,2012

# REMOTE PARTICIPATION POLICY
# Town of Westwood, MA

## PURPOSE STATEMENT

The Office of the Attorney General amended the *Open Meeting Law* regulations at 940 CMR 29.00 to allow members of public bodies, in limited circumstances, to participate remotely in meetings. While all members of Town Boards and Committees should try to attend meetings in person, the new regulations seek to promote greater participation in government meetings by allowing members to participate remotely when certain specific circumstances prevent them from being physically present.

The intent of this policy is to establish clear guidelines on the practice of remote participation by Town Boards and Committees under the *Open Meeting Law, M.G.L.* c.30A, §§18-25.

## ENABLING AUTHORITY- 940 CMR 29.10(8)

A municipality may adopt a policy that prohibits or further restricts the use of remote participation by public bodies within its jurisdiction.

## ADOPTION OF REMOTE PARTICIPATION

In accordance with 940 CMR 29.10(2)(a), the Board of Selectmen, on January 30, 2012, voted to authorize the adoption of 940 CMR 29.10 so that remote participation is permitted in the Town. In accordance with 940 CMR 29.10(3), the Board of Selectmen may revoke its adoption of 940 CMR 29.10 by simple majority vote at any time.

This policy and 940 CMR 29.10 shall apply to all Town boards, committees, commissions, sub-committees and working groups regardless of whether such public bodies are appointed or elected. Where the Remote Participation Policy is more stringent than 940 CMR 29.10, the Policy shall control.

## MINIMUM REQUIREMENTS FOR REMOTE PARTICIPATION

Members of the public body who participate remotely and all persons present at the meeting location shall be clearly audible to each other.

A quorum of the body, including the chair or, in the chairs absence, the person authorized to chair the meeting, shall be physically present at the meeting location, as required by M.G.L. c.30A, §20(d).

Members of the public body who participate remotely must have access to the same materials being used at the meeting location.

Members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, §23D.

> *Section 23D (a): Notwithstanding any general or special law to the contrary, upon municipal acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the hearing at which testimony or other evidence is received. Before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof. The written certification shall be part of the record of the hearing. Nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements.* (Mullin)

## PERMISSIBLE REASONS FOR REMOTE PARTICIPATION

It is the express desire of the Board of Selectmen that remote participation in meetings be an infrequent event, for both individual board members and Town Boards and Committees as a whole. Chairs of public bodies are encouraged to interpret these rules in a strict fashion and to continue to induce all members to attend meetings in person as a general rule, due to the inherent benefits of physical presence in a meeting.

A Board member may attend a meeting through electronic conferencing if his or her physical presence at the meeting is prevented due to extenuating circumstances such as: personal illness or disability; a family or other emergency; military service; geographic distance (due to personal employment or business with public body.)

Any determination by the person chairing the meeting to allow or not to allow remote participation shall be final and shall not be appealable.

## ACCEPTABLE METHODS OF REMOTE PARTICIPATION

Accommodations shall be made for any public body member who requires TTY service, video relay service, or other form of adaptive communications.

(i) Telephone, internet, or satellite enabled audio or video conferencing.

(ii) Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible and, if possible clearly visible to all persons present at the meeting location.

(iii) If technical difficulties arise as a result of utilizing remote participation the Chair should suspend discussion while reasonable efforts are made to correct any problem that interferes with remote participant's ability to hear or be heard clearly by all persons at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred and subsequent reconnection if achieved shall be noted in the meeting minutes. If a public hearing occurs after disconnection, the member shall be noted as absent.

## PROCEDURES FOR REMOTE PARTICIPATION

Any member of a public body who wishes to participate remotely shall, at least 48 hours or as soon as reasonably possible prior to the meeting, notify the chair or person chairing the meeting of his or her desire to do so and the reason for and facts supporting his or her request.

(i) Prior to the meeting the Chair shall make every effort to ensure the equipment is available and functioning properly. If the required equipment is not available then the Chair shall deny the request for remote participation.

(ii) At the start of the meeting, the chair shall announce the name of any member who will be participating remotely and the reason under 940CMR 29.10(5) for his or her remote participation. This information shall also be recorded in the meeting minutes.

(iii) All votes taken during any meeting in which a member participates remotely shall be by roll call vote. Members may participate remotely even if they are not qualified to vote.

(iv) Remote participants shall preserve the confidentiality of the executive session. The remote participant shall state at the start of any such session that no other person is present and/or able to hear the discussion at the remote location, unless presence of that person is approved by simple majority vote of the public body, and that the session is not being remotely recorded by any device.

*Note: Consideration should be given to the proposed language in the Charter regarding associate members on Boards and Committees, Associate members should be utilized in the absence of members of Boards and Committees when deemed appropriate by the Chair.*

**TOWN OF WESTWOOD**
**REMOTE PARTICIPATION REQUEST**

I, _____ (print name), hereby request to participate remotely at the meeting of the _____ (Board/Committee/Commission) to be held on _____ (date). I certify to the Chair that my absence is the result of one or more of the following factors which make my physical presence unreasonably difficult:

_____ (1) Personal Illness or Disability _____ (2) A Family or Other Emergency

_____ (3) Military Service _____ (4) Geographic Distance (Employment / Board Business)

Explanation: _____

_____

_____

During the meeting, I will be at the following location:

_____ _____
Address Phone Number

_____ _____
Signature of Member Date

**Please sign and return to Chairperson**

Request received by _____ _____
Signature Date

Method of Participation_____ (i.e. speakerphone)

Request Approved_____ Request Denied*_____

_____ _____
Signature of Chairman Date

**Forward a copy of this signed form to the Board of Selectmen's Office and the Town Clerk's Office.**
***All Denied Requests are Final and Not Appealable.**

# TOWN OF MARSHFIELD
# BOARD OF SELECTMEN

## Town Board Remote Participation Policy

The Board of Selectmen authorizes remote participation for all appointed and elected Town Boards in accordance with the requirements of the Massachusetts Open Meeting Law, M.G.L. c.30A, {20(d) and 940 CMR 29.00, section 29.10: Remote Participation, in the following manner. The Selectmen emphasize that pursuant to the requirements of the Remote Participation provisions of the Regulations issued by the Attorney General, a quorum of the public body, including the chair or, in the chair's absence the person authorized to chair the meeting, must be physically present at the meeting location, as required by M.G.L. c. 30A, sec 20(d); and members of public bodies who participate remotely may vote and shall not be deemed absent for the purposes of M.G.L. c. 39, sec. 23D.

### Reasons for Remote Participation:

- Personal illness
- Personal disability
- Emergency
- Military service
- Geographic distance

### Approved Technology for Remote Participation

The following media are acceptable methods for remote participation. Remote participation by any other means is not permitted. (Accommodation shall be made for any public body member who requires TTY service, video relay service, or other forms of adaptive telecommunications).

- Telephone, internet, or satellite enabled audio or video conferencing.
- Any other technology that enables the remote participant and all persons present at the meeting location to be clearly audible to one another.
    - When video technology is in use, the remote participant shall be clearly visible to all persons present in the meeting location.
    - The chair, or in the chair's absence, the person chairing the meeting, may decide how to address technical difficulties that arise as a result of utilizing remote participation, but is encouraged, wherever possible, to suspend discussion while reasonable efforts are made to correct any problem that interferes with a remote participant's ability to hear or be heard clearly by all persons present at the meeting location. If technical difficulties result in a remote participant being disconnected from the meeting, that fact and the time at which the disconnection occurred shall be noted in the meeting minutes.

The public body using remote participation may determine which of the foregoing acceptable methods will be used by its members.

# TOWN OF IPSWICH
MASSACHUSETTS
01938

TOWN HALL
25 GREEN STREET
TELEPHONE: (978) 356-6600
FAX: (978) 356-6616

## AUTHORIZATION TO UTILIZE REMOTE PARTICIPATION

**Certification Pursuant to 940 CMR 29.10(7)**

I, _____(printed name), being a member of the _____(board, committee or commission), hereby request to participate remotely at the meeting to be held on _____ (date). I certify to the chair that my absence is the result of one or more of the following factors which make my physical attendance unreasonably difficult:

____ Personal illness

____ Personal disability

____ Emergency

____ Military services

____ Geographic distance

Explanation: _____

_____

_____ Approved: _____
(signature of committee member) (signature of chair)

# CITY OF GLOUCESTER 2012
# CITY COUNCIL ORDER

**ORDER:** **#CC2012-032**
**COUNCILLORS:** **Bob Whynott**

**DATE RECEIVED BY COUNCIL:** **06/12/12**
**REFERRED TO:** **O&A**
**FOR COUNCIL VOTE:**

**ORDERED** that the City Council request the State to allow for 30 minute parking signs in front of the WWII Memorial on Western Avenue; and further

**ORDERED** that this matter be referred to the Ordinances and Administration Committee for review and recommendation.

Bob Whynott
Councillor at Large

# CITY OF GLOUCESTER 2012
# CITY COUNCIL ORDER

| | |
|---|---|
| ORDER: | #CC2012-036 |
| COUNCILLORS: | Steve LeBlanc |

| | |
|---|---|
| DATE RECEIVED BY COUNCIL: | 06/26/12 |
| REFERRED TO: | TC & O&A |
| FOR COUNCIL VOTE: | |

**ORDERED** that the Gloucester Code of Ordinances Chapter 22, entitled "Traffic and Motor Vehicles" Sec. 22-274 "Two-hour-parking between certain hours- -Generally" be amended by **ADDING**: Washington Street, westerly side, from its intersection with Stone Court, 200' in a southerly direction between the hours of 6:00 a.m. and 5:00 p.m. Monday through Friday; and Washington Street, easterly side, from its intersection with Derby Street in a northerly direction, to the entrance of Oak Grove Cemetery between the hours of 6:00 a.m. and 5:00 p.m. Monday through Friday; and further

**ORDERED** that this matter be referred to the Traffic Commission and Ordinances and Administration Committee for review and recommendation.

Steve LeBlanc
Ward 3 Councillor

# CITY OF GLOUCESTER 2012
# CITY COUNCIL ORDER

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| **ORDER:** | **#CC2012-037** |
| **Councillor** | **Greg Verga** |

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| **DATE RECEIVED BY COUNCIL:** | **06/26/12** |
| **REFERRED TO:** | **TC & O&A** |
| **FOR COUNCIL VOTE:** | |

**ORDERED** that the Gloucester Code of Ordinances Sec. 22-287 entitled "Disabled Veteran, handicapped parking" be amended by **ADDING:**

one handicapped space on the southerly side of Ocean Avenue at a point beginning 200' from Flume Road for a distance of 22' in a westerly direction in front of 2 Ocean Avenue

And further

**ORDERED** that this matter be referred to the Traffic Commission for review, measurements and recommendation and to the Ordinances and Administration Committee for review and recommendation.

Greg Verga
Ward 4 Councillor

# CITY OF GLOUCESTER 2012
# CITY COUNCIL ORDER

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| **ORDER:** | **#CC2012-038** |
| **Councillor** | **Paul McGeary** |

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| **DATE RECEIVED BY COUNCIL:** | **06/26/12** |
| **REFERRED TO:** | **O&A** |
| **FOR COUNCIL VOTE:** | |

**ORDERED** that the Gloucester Code of Ordinances Chapter 22 "Traffic and Motor Vehicles" be **AMENDED** as follows:

Sec. 22-218. - Deposit of coin required; overtime parking; exemption by **DELETING**:

Sec. 22-218. - Deposit of coin required; overtime parking; exemption.

(a) When a vehicle is parked in a parking space for which a parking meter has been installed under this division, the driver shall, upon entering the parking space, immediately deposit, in the meter, appropriate coins as indicated by the instructions on the meter. It shall be unlawful for any person to fail or neglect to deposit such coins. Upon such deposit, the parking space may then be used by such vehicle during the time prescribed in this division according to the sum thus deposited. The vehicle shall be unlawfully parked if it shall remain in such space beyond the period of time which the driver shall have deposited such coins in the meter. It shall be unlawful for any person to cause any vehicle to be unlawfully parked as provided in this section; and

**ADDING:** Sec. 22-218. - Deposit of <u>parking fee</u> required; overtime parking; exemption.

(a) When a vehicle is parked in a parking space for which a parking meter <u>or other parking control device</u> has been installed under this division, the driver shall, upon entering the parking space, immediately deposit, in the meter or device, appropriate <u>fees</u> as indicated by the instructions on the meter <u>or device</u>. It shall be unlawful for any person to fail or neglect to deposit such <u>fees</u>. Upon such deposit, the parking space may then be used by such vehicle during the time prescribed in this division according to the sum thus deposited. The vehicle shall be unlawfully parked if it shall remain in such space beyond the period of time which the driver shall have deposited such <u>sum</u>. It shall be unlawful for any person to cause any vehicle to be unlawfully parked as provided in this section.

Division 2. City-Owned Off-Street Parking Areas, Sec. 22-191. - (Established) by **DELETING:**

There are hereby established six off-street parking areas within the city, which are designated in section 22-288; and

**ADDING:** There are hereby established seven off-street parking areas within the city, which are designated in section 22-288.

Section 22-288 (Off-street parking areas) by **ADDING:**

65 Rogers Street Parking Lot, (Assessors' Map 9, Lot 1) containing 115 spaces including four handicapped spaces. There shall be a ten-hour parking limit between the hours of 8:00 a.m. to 7:00 p.m. Vehicles violating the hours of operation will be ticketed and towed.

And further

**ORDERED** that this matter be referred to the Ordinances and Administration Committee for review and recommendation.

Paul McGeary
Ward 1 Councillor

# CITY OF GLOUCESTER 2012
# CITY COUNCIL ORDER

**ORDER:** #CC2012-022
**COUNCILLORS:** Bruce Tobey

**DATE RECEIVED BY COUNCIL:** 04/10/12
**REFERRED TO:** O&A
**FOR COUNCIL VOTE:**

**Ordered,** that the Ordinances and Administration Committee consider and make a recommendation to the full council on the matter of

1. repealing existing requirements for parking meters on Main Street;
2. replacing those requirements with free-parking on Main Street with a two-hour limit; and
3. amending the Code of Ordinances by adding a provision similar to that which follows, applying only to the section of Main Street for which a free-parking with a two-hour limit is proposed above:

Overtime Parking and Shuffling or Relocating Vehicles to Avoid Penalties. When signs are erected in each block giving notice thereof, no person shall park a vehicle upon any of the streets or parts of the streets described in Section 22-289 for a longer period than so specified in that Section. No person shall relocate or move a vehicle in order to avoid a violation of the parking time limit. The following action shall be considered prima facie evidence of such prohibited conduct when observed by a law, or parking enforcement officer: when a person moves or relocates a vehicle which has been parked less than the posted time limit from a time limited parking space and then returns to the same parking space or moves to a parking space within 500 feet of that same parking space, as measured along the street, within five minutes of the time that the initial parking space was vacated. Such shuffling or relocating shall constitute overtime parking for the purposes of this section. Overtime parking is a violation of this ordinance, and shall be subject to the fines set forth in this Section.

Bruce Tobey
Councilor at Large

The following described streets or parts of streets in the city are hereby established as parking meter zones, with parking restrictions as specifically indicated for each such zone in accordance with section 22-211:

| Location | Maximum Time | Fee |
|---|---|---|
| Boynton Way | 2 hours | |
| Dale Avenue | 2 hours | |
| Harbor Loop | 10 hours | |
| Manual F. Lewis Rd. | 2 hours | |
| Pleasant Street Railroad Avenue, 27-33, northeasterly side, 10 metered angle parking spaces (Ord. 03-39, 12/2/2003) | 2 hours | |
| School Street | 2 hours | |
| Warren Street | 2 hours | |
| Washington Street | 2 hours | |
| Washington Street, easterly side from Main to Middle Streets | | |
| Meters W1–W4 | 10 hours | |
| Meters W5–W10 | 2 hours | |
| Dale Avenue (meter #s 9, 9A, 10, 10A, 24, 25, 37, 38, 39) | [1 hour] | |
| Duncan Street | 1 hour | |
| Main Street | 2 hours | |
| Manual F. Lewis Road | 1 hour | |
| Middle Street, two one-hour parking meters in front of the Y.M.C.A. Building | 2 hours | |
| Middle Street, three one-hour parking meters, southerly side, starting 20 feet from its intersection with Hancock Street in an easterly direction | 1 hour | |
| Middle Street, three (3) two-hour parking meters on the southerly side of Middle Street between Hancock and Center Streets | 2 hour | |
| Pleasant Street, two parking meters in front of #36–#38 Pleasant Street | [1 hour] | |
| Porter Street | 1 hour | |
| Rogers Street, both sides from its intersection with Washington Street to Manuel F. Lewis Road | Ten hours | |
| Warren Street, meter #1–8 | [1 hour] | |
| Washington Street, two one-hour parking meters at 22– | 1 hour | |

# CITY OF GLOUCESTER 2012
# CITY COUNCIL ORDER

**ORDER:** **#CC2012-041**
**COUNCILLORS:** **Melissa Cox/Bob Whynott**

**DATE RECEIVED BY COUNCIL: 07/24/12**
**REFERRED TO:** **O&A & TC**
**FOR COUNCIL VOTE:**

**ORDERED** that the GCO Chapter 22, Sec. 22-280 "Fifteen Minute Parking" be amended by **ADDING** "in front of 242 Main Street on the northerly side of Main Street for a distance of 22 feet" and for the existing parking meter at this location to be changed or adjusted as needed; and further

**ORDERED** that this matter be referred to the Ordinances and Administration Committee for review and recommendations and to the Traffic Commission for their recommendation.

Melissa Cox
Ward 2 Councillor

Bob Whynott
Councillor at Large