



GLOUCESTER CITY COUNCIL  
**Ordinances & Administration Committee**  
Monday, June 16, 2014 – 6:00 p.m.  
**1<sup>st</sup> Fl. Council Committee Room – City Hall**  
**AGENDA**

(Items May be taken out of order at the discretion of the Committee)

**1. Continued Business:**

- A) CC2014-016 (Whynott) Whether the City Council should vote to consolidate the polling places for Wards 3 and 5 (Cont'd from 06/02/14)
  - B) CC2014-017 (Verga/Cox) Request the O&A Standing Committee review an ordinance for Council Enactment re: that the City shall lease no property or structure unless funding is approved by a 2/3<sup>rd</sup> Majority of the members of the City Council (Cont'd from 06/02/14)
- 2. Memorandum from Police Chief requesting that the Personnel Ordinance be amended to add the position of Assistant Police Chief/Executive Officer
  - 3. CC2014-024 (Cox) Amend GCO Chapter 22, Sec. 22-270 "Parking prohibited at all times" and Sec. 22-291 "Tow-away zones" re: Pleasant Street **TBC to 07/14/14**
  - 4. CC2014-025 (Theken/Cox) Amend GCO Chapter 9 "Trash, Recycling and Litter," Sec. 9-3 re: trash dumpsters - **TBC to 07/14/14**

COMMITTEE

**Councilor Robert Whynott, Chair**  
**Councilor Sefatia Theken, Vice Chair**  
**Councilor Jacqueline Hardy**

Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall

CC: Mayor Carolyn Kirk  
Linda T. Lowe  
Suzanne Egan  
Chief Leonard Campanello  
Robert Ryan/Larry Ingersoll  
Noreen Burke

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 OF GLOUCESTER 2014**

**CITY COUNCIL ORDER**

**ORDER:** CC#2014-016  
**COUNCILLOR:** Robert Whynott, Paul McGeary

**DATE RECEIVED BY COUNCIL:** 04/22/14  
**REFERRED TO:** O&A & Board of Registrars  
**FOR COUNCIL VOTE:**

**ORDERED** that the City Council pursuant to MGL c.54 §24 should vote to consolidate the polling places for Ward 3 precincts 1 and 2 and Ward 5 precincts 1 and 2 to a single polling place located at the Gloucester High School Fieldhouse located on Leslie O. Johnson Road to become effective beginning with the State Primary Election to be held on September 9, 2014; and further

**ORDERED** that this matter shall be referred to Ordinances and Administration Standing Committee for review and recommendation, and to the Board of Registrars for recommendation.

Robert Whynott  
Councillor at Large

Paul McGeary  
Ward 1 Councillor



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**INTEROFFICE MEMORANDUM**

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**TO:** COUNCILOR BOB WHYNOTT, CHAIRMAN, ORDINANCE & ADMINISTRATION COMMITTEE  
**FROM:** MICHAEL B. HALE, DIRECTOR OF PUBLIC WORKS  
**SUBJECT:** PROPOSED PARKING AT WEST GLOUCESTER WATER TREATMENT PLANT, 372  
MAGNOLIA AVENUE  
**DATE:** MAY 20, 2014  
**CC:**

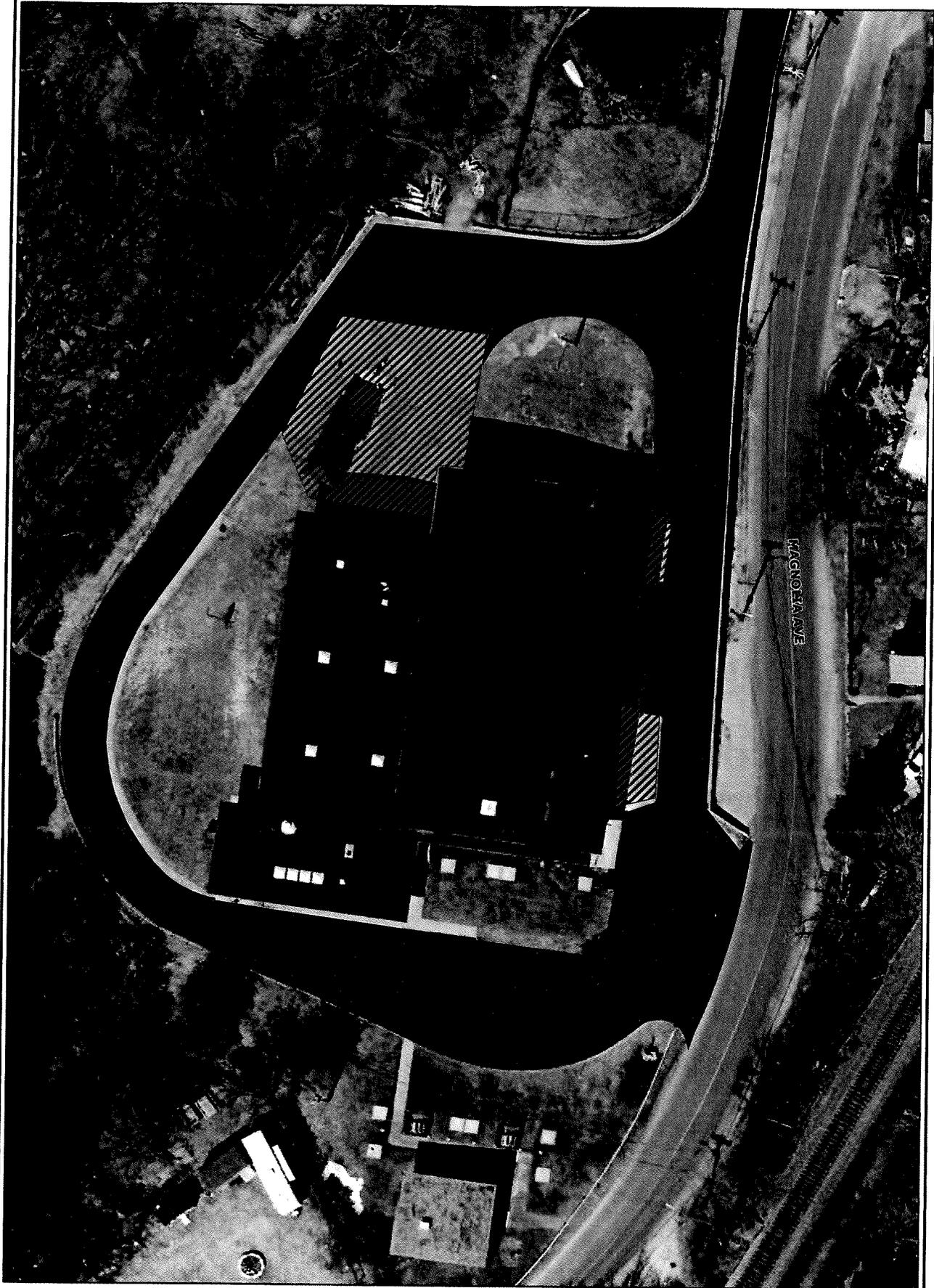
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Chairman Whycott:

The Department of Public Works has been asked to review a parking proposal related to moving the voting location of Ward 5-2 to Wellspring House on 302 Essex Avenue. Specifically, Public Works has been asked whether the West Gloucester Water Treatment Plant at 372 Magnolia Avenue could support parking during voting at the neighboring Wellspring House. The water plant has critical infrastructure (sedimentation chambers) buried under the paved surface area on the southerly side of the building. This area is restricted from parking at all times to visitors and employees. The facility has two loading zones that also need to be kept clear of parked vehicles at all times. The remaining paved surfaces at the facility are fire lanes or egresses that too need to be clear of parked vehicles. Unfortunately, this property can only support parking for staff and deliveries.

Should you have any questions relating to this issue, please feel free to contact my office.

# West Gloucester Water Treatment Plant



## Legend

-  Loading Zone
-  No Parking Zone

0 50 100 Feet

1 inch = 33 feet



**RE: Possible Ward 5 Polling Consolidation/Move to different venues**

Leonard Campanello

**Sent:** Wednesday, May 28, 2014 7:44 PM

**To:** Dana Jorgensson

O&A Committee Councilors,

As requested, I am responding to the query regarding Ward 5 Polling. From a Police perspective I will answer the questions posed. I know that Bob Ryan has also offered an opinion and, as always, his wisdom in these matters is best heeded.

1. There are always hazards whenever there are pedestrians interacting with motor vehicle traffic and it is enhanced by unexpected traffic such as a poll day. The Wellspring location offers the lesser hazard of the two options. To echo Mr. Ryan, quite simply it is more visible and has better entry and egress options, which is where the majority of hazardous traffic would likely occur.
2. I believe the parking and Wellspring and the adjacent area to be adequate for the amount of persons mentioned, considering that is a fluid number and voting generally takes less than ten minutes.
3. Weather conditions would affect ANY location and does not impact the hazard at a particular location either way. However, visibility is always a concern in weather and Wellspring, as stated above, is the more visible location.

If you should require further information please let me know.

Respectfully,

Leonard Campanello

*Chief of Police*

*City of Gloucester, MA*

(978)-281-9775

[lcampanello@gloucester-ma.gov](mailto:lcampanello@gloucester-ma.gov)

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**From:** Dana Jorgensson  
**Sent:** Wednesday, May 28, 2014 4:56 PM  
**To:** Leonard Campanello  
**Subject:** FW: Possible Ward 5 Polling Consolidation/Move to different venues

For you.

*Dana C. Jorgensson*

*Clerk of Committees*

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**From:** Ryan Robert [RyanR@cantran.com]  
**Sent:** Wednesday, May 28, 2014 3:53 PM  
**To:** Dana Jorgensson; Leonard Campanello  
**Cc:** Robert Whynot; Sefatia Theken; SROME0@nhs-healthlink.org; William Fonvielle; Linda Lowe  
**Subject:** RE: Possible Ward 5 Polling Consolidation/Move to different venues

To All:

With respect to Ward 5 Polling Consolidation, the following are my suggestions, opinions and recommendations:

1. Of the two proposed alternate polling sites, I prefer **Wellspring House** at 302 Essex Avenue for the following reasons. First, it has the best visibility, and it is the **safer** of the two locations to **enter and exit**; secondly, the parking is adequate. The entrance lot can accommodate at least 8-10 vehicles, the front area, between the House and Water Treatment plant 6-8 vehicles, and it has on street parking for at least an additional 10-12 vehicles. The Wellspring House, in my opinion, has as much parking available as East Gloucester School where 1-1 voting takes place. Lastly, the Wellspring House is well know and is in **proximity** of the West Parish polling venue.
2. As I stated above, parking is adequate and Wellspring House is the better choice of the two venues. I would further suggest that perhaps, the poll workers be assigned parking on **Magnolia Avenue**, the westerly side, at its intersection with Essex Avenue.
3. Again, I choose Wellspring House because of its **visibility** and its location sitting back off of Essex Avenue.
4. I would strongly recommend that there be **Police** presence during polling hours, and perhaps, two **electronic signs** be placed on Rt.133 in the easterly and westerly direction reading: **Go Slow – Voting Poll Ahead**.

Lastly, I would like to state that if the polling venue is east of the Blynman Bridge then I would venture to say that

not even half of the 1,800 voters would participate in voting in either the Primary or in November's election as it would be an inconvenience. That is to say that it would be out of the way, consume more fuel and contribute more to air pollution.

Respectfully,

Bob

Robert B. Ryan

General Manager  
Cape Ann Transportation Operating Company, Inc.  
3 Rear Pond Road  
Gloucester, MA 01930  
t. 978-281-8315X14  
f. 978-283-9456  
[RyanR@cantran.com](mailto:RyanR@cantran.com)

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**From:** Dana Jorgensson [mailto:[DJorgensson@gloucester-ma.gov](mailto:DJorgensson@gloucester-ma.gov)]  
**Sent:** Tuesday, May 20, 2014 9:39 AM  
**To:** Leonard Campanello; Ryan Robert  
**Cc:** Robert Whycott; Sefatia Theken; [SROME0@nhs-healthlink.org](mailto:SROME0@nhs-healthlink.org); William Fonvielle; Linda Lowe  
**Subject:** Possible Ward 5 Polling Consolidation/Move to different venues

Gentlemen: At last evening's O&A Committee meeting during the discussion on the above, two proposed alternative polling sites to West Parish School are under consideration - Wellspring House's property at 302 Essex Avenue and the Trinitarian Congregational Church at 488 Essex Avenue. The Committee asked that you kindly respond to the following concerns in writing to be submitted by May 29 in order that the Committee can take your opinions under consideration at their June 2, 2014 meeting.

The questions relate directly to the days designated for voting - a primary in September and a general election date on the first Tuesday in November. This means that poll workers are at the polls starting at 5:45 p.m. and depart the polling locations about 10 p.m. In addition the voting public amounts to at least several hundred vehicles a day:

- 1) Do you consider the locations a hazard to voter pedestrian traffic day and night;
- 2) Is parking adequate for the eight poll workers and as many as 1,800 persons voting;
- 3) What about under adverse weather conditions re: rain, sleet, low visibility due to fog, etc.

Thank you.

*Dana C. Jorgenson*

*Clerk of Committees*

**Public Records Law**

*Please be aware that all communications pertaining to City of Gloucester Massachusetts matters, including e-mail sent or received, are a public record subject to disclosure under the Massachusetts Public Records Law. If requested, e-mail may be disclosed to another party unless exempt from disclosure. E-mails are retained by the City of Gloucester in compliance with Massachusetts Public Records Retention Schedule. All Electronic messages sent through the City of Gloucester system are archived in conformance with the Massachusetts and federal Public Records law.*

This e-mail and all attachments are intended for the above-name recipient(s) only and may contain the confidential and legally privileged information of the Gloucester Police Department. Any unauthorized dissemination, distribution, copying or other use of this e-mail or any attachments is strictly prohibited. If you have received this transmission in error, please notify the sender and delete all copies of the received e-mail and attachments from your computer system.



**CITY OF GLOUCESTER 2014  
CITY COUNCIL ORDER**

**ORDER: CC#2014-017**  
**COUNCILLORS: Greg Verga, Melissa Cox**

**DATE RECEIVED BY COUNCIL: 04/22/14**  
**REFERRED TO: O&A**  
**FOR COUNCIL VOTE:**

**ORDERED** that the Ordinances and Administration Standing Committee review an ordinance for council enactment providing substantially as follows:

The City shall lease no property or structure unless the funding for that lease is expressly approved by a 2/3<sup>rd</sup> majority of the membership of the City Council; and further

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

Greg Verga  
Councillor at Large

Melissa Cox  
Ward 2 Councillor

Amend GCO Sec. 2-52 as follows:

~~DELETE Sec. 2-52. Signing or approval of contracts, deeds, etc. [permanent link to this piece of content](#)~~

All agreements, contracts, deeds, indentures, instruments or leases that may be given or required to be executed by the city shall be signed or approved by the mayor and sealed with the seal of the city.

(Code 1970, § 2-92)

and REPLACE it with:

Sec. 2-52. Signing or approval of contracts, deeds, etc. [permanent link to this piece of content](#)

- (a) All agreements, contracts, deeds, indentures, instruments or leases that may be given or required to be executed by the city shall be signed or approved by the mayor and sealed with the seal of the city.
- (b) ~~The council shall be notified in writing Whenever a request for proposals for a lease with a term which exceeds more than three ONE years or the total cost is the city enters into negotiations for a lease of property the term of which shall be for more than three years or the total cost of which to the city is expected to exceed \$250,000, is issued. The Mayor shall inform the Council in writing that the lease negotiations have been entered upon.~~
- (c) The notification shall conform to the requirements of the state Open Meeting Law. The Council may request additional detail in an executive session meeting as provided for in the state law.
- (d) ~~In the event the that lease must be concluded before the Mayor is able to notify the Council before the conclusion of lease terms as provided in paragraph (b) above, the Mayor shall notify the Council as soon as possible of the lease agreement including a statement outlining the exigent circumstances that prevented notification of the Council as outlined in paragraph (b) above.~~
- (e) The City shall lease no property or structure in excess of one year unless the funding for that lease is expressly approved by a majority of the membership of the City Council

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by request of  
O+A

Amend GCO Sec. 2-52 as follows:

DELETE Sec. 2-52. Signing or approval of contracts, deeds, etc. ~~permanent link to this piece of content~~

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(Code 1970, § 2-92)

and REPLACE it with:

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- (a) All agreements, contracts, deeds, indentures, instruments or leases that may be given or required to be executed by the city shall be signed or approved by the mayor and sealed with the seal of the city.
- (b) The council shall be notified in writing whenever a request for proposals for a lease with a term which exceeds more than three years or the total cost is the city enters into negotiations for a lease of property the term of which shall be for more than three years or the total cost of which to the city is expected to exceed \$250,000, is issued. ~~The Mayor shall inform the Council in writing that the lease negotiations have been entered upon.~~
- (c) The notification shall conform to the requirements of the state Open Meeting Law. The Council may request additional detail in an executive session meeting as provided for in the state law.
- (d) In the event the ~~that lease must be concluded before the Mayor is able to notify the Council before the conclusion of lease terms~~ as provided in paragraph (b) above, the Mayor shall notify the Council as soon as possible of the lease agreement including a statement outlining the exigent circumstances that prevented notification of the Council as outlined in paragraph (b) above..

(Code 1970, § 2-92)



**GLOUCESTER POLICE DEPARTMENT**  
**Office of the Chief of Police**  
**197 Main Street**  
**Gloucester, MA 01930**

Chief Leonard Campanello  
(978)281-9775

**June 2, 2014**

**TO: Mayor Carolyn Kirk**

**FROM: Chief Leonard Campanello**

**Re: Assistant Chief of Police\Executive Officer Position**

Mayor Kirk,

Please find enclosed a job description for the recommended position of "Assistant Chief of Police". This position would provide a second in command of the Police Department who would assume administrative tasks, operational tasks, and all daily functions of the Police Department in the absence of the Chief of Police. Additionally, the re-structuring of the command staff over the last 18 months has led to the conclusion, as supported by the MRI study of 2009, that there is a need for an Assistant Chief position that directly assists the Police Chief and has no affiliation with a Union. The position would require the coordination of internal affairs issues and disciplinary recommendations. It is a conflict of interest to have this position reside within a Union. This position would also allow the Chief of Police to focus more efficiently on the philosophical direction of the department and the quality of services to the public. It will also be a solid financial decision as the position would be salaried.

Pursuant to this request, I would ask that the Council Amend Appendix C- Personnel Ordinance to add Position: Assistant Police Chief/Executive Officer Grade M-11.

Amend Chapter 17 of the Code of Ordinances by Deleting Sec. 17-20 in its entirety and replacing it with:

Sec. 17-20

The mayor shall have the power to appoint all police officers and patrolmen who shall hold their office at the discretion of the mayor subject to the law pertaining to civil service and to the collective bargaining agreement. The chief of police and assistant chief of police are exempt from civil service laws and the terms of the collective bargaining agreement. All police officers are required to be citizens of the United States and within nine months of his/her appointment, to reside within 15 miles of the limits of

the city of Gloucester as required by M. G. l. c. 41 section 99. Appointment of officers shall be subject to the age restrictions of General Law chapter 31 section 58A.

Deleting Sec. 17-21 in its entirety and replacing it with:

Sec. 17-21:

The police department shall consist of the police chief, assistant police chief and as many lieutenants, sergeants and patrol officers as may be deemed necessary. The department shall also include supporting administrative staff.

It is my hope that you and the City Council will support this position for the new fiscal year.

**Respectfully,**

**Leonard Campanello**  
*Chief of Police*



**GLOUCESTER POLICE DEPARTMENT**  
**Office of the Chief of Police**  
**197 Main Street**  
**Gloucester, MA 01930**

Chief Leonard Campanello  
(978)281-9775

## **Job Description**

**Title :** Assistant Police Chief/Executive Officer

**Supervisor:** Police Chief

### **Summary Description:**

Under the administrative direction of the Chief of Police the Assistant Chief of Police manages, supervises, and coordinates the daily operations of the police department with respect to the enforcement of criminal and traffic laws, and ordinances in order to preserve and protect life, health, and property in the city of Gloucester. The Assistant Chief coordinates services and activities with divisions and provides highly responsible and complex administrative support to the Chief of Police.

### **Representative Duties:**

- Plans, assigns, supervises and participates in the programs and activities of the police department.
- Develops and implements staffing plans; studies crime and other reports to determine trends, and recommends changes in organization and operating procedures to obtain the most effective results.
- Prepares and directs the presentation and maintenance of necessary reports and records.
- Supervises subordinates.
- Assumes full responsibility for the activities of the department in the absence of the Chief of Police.
- Responds to major incidents to insure Incident Commander is following protocol.
- Serves as representative of department on various boards, commissions or committees as directed by the Chief of Police.
- Responds to and directs internal investigations.
- Coordinates Special Events.
- Maintains command of Harbor Patrol.
- Coordinates State 911 system.

- Exercises independent judgment in all matters pertaining to the day to day operations of the department.
- Performs related work as directed.

**Knowledge of:**

- Operational characteristics, services, and activities of a comprehensive municipal law enforcement program.
- Functions and objectives of the Police Department, and other local, state and federal agencies.
- Methods and techniques used in providing the full range of law enforcement and crime prevention services and activities including investigation and identification, patrol, traffic control, care and custody of persons and property, crime prevention, records management, and dispatch.
- Principles and practices of program development and administration.
- Principles and practices of municipal budget preparation and administration.
- Principles of supervision, training, and performance evaluation.
- Law enforcement theory, principles, and practices and their application to a wide variety of services and programs.
- Principles and practices of law enforcement administration, organization, and management.
- Operational characteristics of police equipment, vehicles, and tools including firearms.
- Use of firearms and other modern police equipment.
- Recent court decisions and how they affect department operations.
- Pertinent federal, state, and local laws, codes, and regulations including laws governing the apprehension, arrest, and custody of persons accused of felonies, misdemeanors, and petty offenses.
- Rules of evidence pertaining to search, seizure, and preservation.
- Incident command system and its implementation; command responsibilities and functions.
- Departmental policies and procedures, guidelines, and chain of command.
- Principles of business letter writing and report preparation.
- Problem solving techniques and methodology.
- Principles and applications of public relations.
- Social, racial, and cultural makeup and geographical layout of the community.
- Local concerns and political issues.
- Office procedures, methods, and equipment including computers and applicable software applications.
- Public safety computer systems.

**Ability to:**

- Oversee, direct, and coordinate the work of lower level staff.

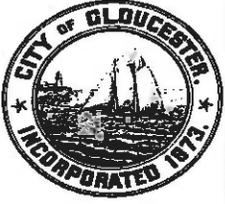
- Participate in the development and administration of division goals, objectives, and procedures.
- Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.
- Research, analyze, and evaluate new service delivery methods and techniques.
- Interpret, apply, and make decisions in accordance with applicable federal, state, and local policies, laws, and regulations.
- Interpret and explain City law enforcement policies and procedures.
- Perform a wide range of law enforcement assignments.
- Think clearly and act quickly in a variety of situations.
- Judge situations/people accurately.
- Maintain contact and preserve good relations with the public; respond to requests and inquiries from the general public.
- Work effectively with a variety of community groups.
- Effectively present and communicate information/directions in one-on-one and small group situations to the general public and other employees of the organization.
- Work irregular and on-call hours including weekends, evenings, and holidays.
- Communicate clearly and concisely, both orally and in writing.
- Establish and maintain effective working relationships with those contacted in the course of work.

**Education/Training:**

Preferred degree or equivalent credit level from an accredited college or university with major course work in police science, criminal justice, political science, behavioral science, business or public administration, or a related field.

**Experience:**

Eight years of broad and extensive experience in all major phases of municipal police work including five years of administrative and supervisory experience at a supervisory level of Sergeant or above.



**CITY OF GLOUCESTER 2014  
CITY COUNCIL ORDER**

**ORDER: CC#2014-024  
COUNCILLOR: Melissa Cox**

**DATE RECEIVED BY COUNCIL: 06/10/14  
REFERRED TO: O&A & TC  
FOR COUNCIL VOTE:**

**ORDERED** that the GCO Chapter 22, Sec. 22-270 "Parking prohibited at all times" be amended by **ADDING** Pleasant Street, westerly side, at a point 120' from its intersection with Smith Street in a northerly direction for a distance of 50'; and further

**ORDERED** that the GCO Chapter 22, Sec. 22-291 "Tow-away zones" be amended by **ADDING** Pleasant Street, westerly side, at a point 120' from its intersection with Smith Street in a northerly direction for a distance of 50' and further

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

Melissa Cox  
Ward 2 Councillor



**CITY OF GLOUCESTER 2014  
CITY COUNCIL ORDER**

**ORDER: CC#2014-025  
COUNCILLOR: Sefatia R. Theken/Melissa Cox**

**DATE RECEIVED BY COUNCIL: 06/10/14  
REFERRED TO: O&A & Board of Health  
FOR COUNCIL VOTE:**

**ORDERED** that the City Council Amend the Code of Ordinances Chapter 9 "Trash, Recycling, and Litter" sec 9-3 \*(attached to this Order) as follows:

By **ADDING** to the title of sec. 9-3 "Independent trash haulers; permits" after the word "haulers;" Add the words "and dumpsters"

By **ADDING** a new subsection 9-3(c) as follows: "Dumpsters serviced by haulers permitted under this Ordinance shall not be dumped, delivered, or maintained before 7:00am or after 8:00pm"

Amending the current subsection 9-3(c) by **DELETING** the letter "(c)" and **ADDING** the letter "(d)". Further amending Sec. 9-3(d) after "any member of the board of health or its agents" by **ADDING** the words "Inspectional Services, Police Officers," and by **ADDING** at the end of sec. 9-3(d) the words "by the Board of Health"

By **ADDING** a new subsection 9-3(e) as follows: "Fines for violations of section 9-3(c) shall be: first offense shall be a written warning; second offense and offenses thereafter shall be \$100 fine for each offense; after three fineable offenses the Health Dept. and Board of Health may revoke the license of permit."

Further **ORDERED** that this matter shall be referred to O&A for review and recommendation and to the Health Dept. and the Building Inspector for recommendation.

Sefatia Theken  
Councillor at Large  
Melissa Cox  
Ward 2 Councillor

**Sec. 9-3. Independent trash haulers: permits.**

- (a) All persons collecting trash in the city shall obtain a permit from the board of health.
- (1) Trash hauling permit shall be valid for one calendar year, renewable annually on January 1 subject to review and approval from the board of health.
  - (2) No permit shall be transferable except with approval from the board of health.
  - (3) Any application which fails to include all information requested in the board of health regulations shall be deemed incomplete and shall be denied.
  - (4) As part of the application, each applicant shall submit to the board of health a list of customers served, time of day and frequency of collection, tons of solid waste and recyclables handled on a regular basis.
- (b) Each permittee shall provide recycling services in compliance with the commonwealth's solid waste plan and DEP regulations. Each permittee shall submit monthly reports listing the tonnage of refuse and recyclables that has been collected. Said report shall include a list of customers served, time of day and frequency of collection, and a process for resolving residential complaints or permit violations. All permitted haulers are required to provide weight slips or vendor receipts to document tons of recyclables collected and trash collected. Said report shall be submitted to the department of public works beginning one month from the application approval date and continuing each month during which the applicant holds a valid permit. Failure to provide this required information may result in a revocation, suspension of the permit.
- (c) Any member of the board of health or its agents or DPW director or designated person shall enforce this section. Any violation of the ordinances, the department of environmental protection regulations or of the state general laws by the permittee shall be grounds for suspension, modification or revocation of the permit.

(Ord. No. 117-1994, § 1, § 2, 1994)