

Ordinances & Administration Committee
Monday, August 17, 2015 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Robert Whynott; Vice Chair, Councilor Bob Stewart; Councilor Joseph Ciolino
Absent: None.

Also Present: Councilor McGeary; Councilor Verga; Councilor LeBlanc (entered 6:17); Linda T. Lowe;
Chip Payson; Bill Sanborn

The meeting was called to order at 6:00 p.m. There was a quorum of the City Council.

1. Memorandum from General Counsel re: Amendment to GCO Sec. 5-19, “Inspection of buildings erected on pilings” (Cont’d from 07/20/15)

Linda T. Lowe, City Clerk, reported that she has, as a result of her office mailing letters to property owners of buildings on pilings, compiled the names of three volunteers who wish to serve on the O&A Committee’s Ad Hoc Committee on Pilings to review GCO Sec. 5-19. Their names are: Mark Lacey, 47 Rocky Neck Avenue, Waterways Board member; Sam Parisi, owner/manager of a business at 108/110 Commercial Street; Steve Dexter, insurance agent and property owner on 162 Wheeler Street, and well-known civic volunteer.

Councilor Whynott said the Committee should appoint the three men presented as members of the O&A Ad Hoc Committee to Review GCO Sec. 5-19 all well known to the Committee. Both **Councilors Ciolino** and **Stewart** voiced their agreement endorsing all three members.

Chip Payson, General Counsel, said the Assistant General Counsel, Krisna Basu, is researching what other waterfront communities are doing related to this matter in order to help advise the Ad Hoc Committee by way of some comparisons. **Councilor Whynott** asked that a meeting of the Ad Hoc Committee be set up quickly so as not to let the issue drag. **Councilor Stewart** volunteered to be the O&A representative to the AHC.

Councilor Ciolino asked that the Building Inspector, take the lead in organizing the meetings. **Bill Sanborn**, Building Inspector, spoke with the Committee as to when they would schedule and post their first meeting.

Responding to an inquiry by the Committee, **Mr. Sanborn** acknowledged his office was recently been informed of a building on pilings collapse which had actually had fallen into the water approximately two weeks before the notification to his office. The pile supported metal-framed building is on the Intershell property on Commercial Street behind the green cinderblock building, which had the pilings collapse underneath it. In this case it was very fortunate no one was in the building at the time of its collapse he said. He pointed out that there are several other buildings under near similar condition on the waterfront and expressed concern as to their soundness and safety. He asked the O&A Committee to recommend to the Council the one word change as proposed by the Administration to GCO Sec. 5-19 in order for it to be moved through to public hearing. He said in the interim it will allow the Ad Hoc review to be undertaken during the fall and winter, but also put a safety measure to be put more quickly into place.

Councilors Stewart and **Whynott** said they wanted to handle the ordinance amendment correctly from the outset, and would rather wait for the Ad Hoc Committee review of the ordinance as they both expressed confidence that the matter would be resolved quickly. Another month will not be a cause for concern, **Councilor Whynott** said. He added it will be a prompt process to ensure the review moves forward quickly with the Ad Hoc Committee being asked to provide a recommendation to the O&A Committee at its first meeting in October. **Mr. Sanborn** added his further concern that there are unstable buildings on pilings currently his department aren’t aware of due to lack of inspection. The buildings on pilings they are aware of that have safety concerns, he said they are working to ensure their safety with the owners. **Councilor Ciolino** expressed his disagreement with Councilors Whynott and Stewart saying that the Building Inspector had expressed a concern for piling and building safety issues, and that they should heed his advice.

Councilor Stewart moved, and **Councilor Whynott** seconded that the Ordinances & Administration Committee move forward with the Ad Hoc Committee Review of GCO Sec. 5-19 by a vote of 2 in favor, 1 (**Ciolino**) opposed.

Councilor Whynott reiterated that a recommendation by the Ad Hoc Committee is anticipated to be presented to the O&A Committee when this matter is next taken up. He added that if there is no recommendation for the O&A Committee, O&A would go with the original Administration proposal to amend GCO Sec. 5-19.

This matter is continued to October 5, 2015.

2. *Memorandum from General Counsel & pertinent material re: proposed changes to the Acts of 1956 relative to the Gloucester Fisheries Commission (Cont'd from 07/20/15)*

Councilor Verga asked this matter be continued to the next regularly scheduled meeting as the Clerk's office had yet to be able to obtain a draft copy of the Fisheries Commission minutes of August 4 when the Commission voted on the most recent changes to the sections of the Acts of 1956 they were recommending to the Council.

This matter is continued to August 31, 2015.

3. *Outstanding Parking Issues remaining for Atlantic Road referred back to the O&A Committee from the August 11 City Council Meeting*

Councilor Whynott said that this matter was sent back to O&A from the Council on August 11. He noted he would make three motions related to traffic on Atlantic Road related to parking, all of which would go up to the Council under "For Council Vote" on August 25. **Councilor Ciolino**, expressing his objection to any amendment on this matter was trying to fix something that wasn't broken and wouldn't vote for it.

COMMITTEE RECOMMENDATION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the Ordinances & Administration Committee voted 2 in favor, 1 (Ciolino) opposed, to recommend that the City Council Amend GCO Sec. 22-270 "Parking prohibited at all times," by ADDING, "Atlantic Road on the waterside from Moorland Road to Farrington Avenue."

COMMITTEE RECOMMENDATION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the Ordinances & Administration Committee voted 2 in favor, 1 (Ciolino) opposed, to recommend that the City Council Amend GCO Sec. 22-291 "Tow Away Zone" by ADDING, "Atlantic Road on the waterside from Moorland Road to Farrington Avenue."

Councilor McGeary said he had consulted with the police on this matter and he conveyed their opinion that by putting in half hour parking, for which this motion is a prerequisite, what they'll end up doing is property owners will start putting rocks to their boundary lines, and all the small lay-bys and pull-offs will disappear and they'll end up with the same parking issue [that prompted the Council's action banning parking on both sides of Atlantic Road from Nautilus Road to Moorland Road] of parking in the travel lanes and again creating a public safety issue.

Councilor Whynott rejoined that if the people move rocks over their property line they will be told to move them—measurements can be gotten from the Engineering Department and determinations can be made if it becomes a problem. **Councilor McGeary** said that the homeowners had every right to move rocks to their property lines if they so choose and reiterating were that the case many of the lay-bys and pull-offs will disappear. He expressed his agreement with Councilor Ciolino saying that if it isn't broken, don't fix it.

Councilor LeBlanc said that he understood Councilor McGeary's standpoint, but that with signage will be helpful and that there wouldn't be a huge parking issue on Atlantic Avenue by way of these new amendments. He also expressed his agreement with instituting 30 minute parking on the landward side of Atlantic Road from Moorland Road to Farrington Avenue.

Councilor Stewart said he, too, understood Councilor McGeary's standpoint and expressed concern for Council process to ensure there is a continuum of appropriate parking restrictions on Atlantic Road. **Councilor Whynott** said these amendments won't be in effect until well after Labor Day. It takes 31 days after a vote of the Council, he noted.

COMMITTEE RECOMMENDATION: On a motion by Councilor Whynott, seconded by Councilor Stewart, the Ordinances & Administration Committee voted 2 in favor, 1 (Ciolino) opposed, to recommend that the City Council Amend GCO Sec. 22-272 "No Parking Saturday, Sunday and Holidays May 1-September 15" by DELETING, "Atlantic Road in its entirety."

This matter was voted on August 3, 2015 by the O&A Committee to go to public hearing.

COMMITTEE RECOMMENDATION: On a motion by Councilor , seconded by Councilor , the Ordinances & Administration Committee voted in favor, opposed, to recommend that the City Council Amend GCO Sec. 22-

279 "Thirty Minute Parking" by ADDING, "Atlantic Road from Moorland Road to Farrington Avenue on the easterly (landward) side."

The O&A Committee would invite the Traffic Commission to give their recommendation at the public hearing.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:27 p.m.

Respectfully submitted,
Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.