

Ordinances & Administration Committee
Monday, April 4, 2016 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Steve LeBlanc; Vice Chair, Councilor Jamie O’Hara; Councilor Sean Nolan
Absent: None.

Also Present: Councilor Ciolino; Linda T. Lowe; Jim Destino; Adam Curcuru; Chip Payson

The meeting was called to order at 6:00 p.m.

1. A. Management Reappointment:

Director of Veterans’ Services/Veteran’s Agent Adam Curcuru TTE 02/14/18

Mr. Curcuru said that the department is pushing forward, reaching out to more veterans and insuring that their legacy to the community is continued as well.

Councilors Nolan and O’Hara extended their thanks to Mr. Curcuru for his work with the city’s veterans.

Councilor LeBlanc expressed his appreciation for Mr. Curcuru’s initiation of Friday networking sessions for veterans acknowledging that this is an innovative new program. He added his endorsement of Mr. Curcuru’s reappointment. **Councilor Ciolino** voiced his support for Mr. Curcuru’s reappointment also.

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 reappoint Adam Curcuru as Director of Veterans’ Services/Veteran’s Agent, TTE 02/14/18.

B. New Appointments:

Clean City Commission Eric Magers (Cont’d from 02/29/16) TTE 02/14/19

Mr. Magers informed the Committee that he is a teacher at Manchester/Essex and was the founder and now staff adviser to the student Green Team there. He said he has received national awards for his green programs and was one of the initiators and proponents of the plastic bag ban in Manchester.

Councilor Nolan attested to Mr. Magers’ commitment to the environment and that he has known Mr. Magers for some time. He expressed his approval of Mr. Mager’s appointment to the Clean City Commission.

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 appoint Eric Magers to the Clean City Commission, TTE 02/14/19.

Fisheries Commission William S. Muniz TTE 02/14/19

Mr. Muniz said that he’s fished for 30 years and is involved in fisheries related boards. He said he can bring honesty and a fresh perspective. He also noted he was on the Gloucester Fireworks Committee for five years.

Councilor LeBlanc encouraged Mr. Muniz to fully participate in the Commission despite the fact he will be a new member.

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 appoint William S. Muniz to the Fisheries Commission, TTE 02/14/19.

Magnolia Woods Oversight & Advisory Committee Jack Palazola TTE 02/14/19

Mr. Palazola explained that he lives in Magnolia and wants to give his time to the city and that he wished to serve as a member of the Magnolia Woods Oversight & Advisory Committee. **Councilor Nolan** said he was pleased to see Mr. Palazola stepping forward to volunteer and supported his appointment as did the Committee.

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 appoint Jack Palazola to the Magnolia Woods Oversight & Advisory Committee, TTE 02/14/19.

Planting Committee

Carolyn Benson

TTE 02/14/19

Ms. Benson explained that she's lived in Gloucester 33 years and volunteers at the Animal Shelter and at Pathways for Children. She said she has an abiding interest in beautifying the city, and that the Mayor had recommended she seek out this appointment.

Councilor LeBlanc said he saw all the lilies coming up on a traffic island on Washington Street and expressed his appreciation as to how good it looked along with so many other areas of the city the Planting Committee works on. **Councilor Nolan** said that this will be something Ms. Benson should enjoy and that the work of the Planting Committee is appreciated. **Councilor O'Hara** thanked Ms. Benson for volunteering.

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 appoint Carolyn Benson to the Planting Committee, TTE 02/14/19.

C. Reappointments:

City Hall Restoration Commission

Janis Bell (Cont'd from 02/29/16)

TTE 02/14/19

Ms. Bell was recognized as a long-term volunteer on the City Hall Restoration Committee by the Councilors. Her reappointment, due to her inability to be present for a second time, and in deference to her many years of volunteer service to the city, was put forward to the Council for their approval by the Committee.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted d in favor, 0 opposed, to recommend that the City Council reappoint Janis Bell to the City Hall Restoration Commission, TTE 02/14/19.

Downtown Development Commission

Robert Whitmarsh (Cont'd from 02/29/16) TTE 02/14/19

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 reappoint Robert Whitmarsh to the Downtown Development Commission, TTE 02/14/19.

Fisheries Commission

Scott O. Swicker (Cont'd from 02/29/16) TTE 02/14/19

Mr. Swicker reported that the Fisheries Commission is keeping abreast of all the latest regulations and restrictions put upon the city's fisheries. He highlighted the new Gloucester Fresh program as an exciting initiative. He said the Commission is trying to ensure all the fisheries are represented for the good of the city. He said a lot of the time is taken up with the ground fisheries but he pointed out that there are also other vibrant fisheries in Gloucester that the Commission needs to concentrate on as well.

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 reappoint Scott O. Swicker to the Fisheries Commission, TTE 02/14/19.

2. *CC2015-044 (Verga, Cox) Amend GCO Sec. 9-12 re: Prohibition of plastic checkout bags (Cont'd from 02-01-16) TBC 05/16/18*

This matter is continued to May 16, 2016.

3. *CC2016-005 (LeBlanc, O'Hara) Whether there should be further amendments to GCO c. 4 Animals, Sections 4-15 through 4-22 related to dogs and whether or not to form an Ad Hoc Committee to study any possible amendments (Cont'd from 02/29/16)*

The Committee reviewed the applications of Gloucester residents who asked to be placed on the Ad Hoc Committee to study possible amendments to GCO c. 4 Animals, Sections 4-15 through 4-22 related to dogs for those sections' review, determine if amendments are necessary and then propose any amendments to the O&A Committee for their consideration for forwarding to the City Council. The Committee also noted the intent to appoint five residents to the new Ad Hoc Dog Committee.

Councilor LeBlanc recalled that the previous year there was a line by line review of the ordinance initiated by former Councilor Stewart. Instead of a line by line review, he said this Ad Hoc Dog Ordinance Committee will need to concentrate their efforts on the concept of creating small off-leash areas in all wards but not on city streets at all. He explained that it is hazardous not only for off leash dogs on city streets but also for drivers and pedestrians. He spoke of a loose dog in heavy traffic recently as a cautionary example. He said it is prudent to recognize that the ordinance is intended not only to protect dogs and their owners, but all residents of the city.

Councilor O'Hara expressed his agreement that creating small off-leash areas in addition to what is already in the Code of Ordinances in each ward is a good concept and further agreed that there should be no dogs loose on city streets and in neighborhoods. **Councilor LeBlanc** suggested that a member of the DPW staff be an invited participant of the Ad Hoc Dog Committee's discussion. He said the last time there was a representative of the Police Department on the previous Ad Hoc Dog Committee but that was a holistic review. He advised that this is a more narrow review for the creation of some small off-leash areas around the city. He reminded the Councilors that all Essex County Greenbelt Association properties in the city are also open to all dog owners with their dogs off leash. **Councilor Nolan** expressed similar views to those of Councilor LeBlanc regarding the purview of the new Ad Hoc Dog Committee. The Committee noted that much of the information on dogs is already set up within the ordinance and that this is just a matter of locating where these particular areas are.

Councilor LeBlanc reminded the Committee that the Ad Hoc Committee conducts public meetings but they are not public hearings.

Councilor LeBlanc then recommended Cindy Dunn, President of the Cape Ann Animal Aid who is also an attorney to the Ad Hoc Dog Committee. He noted she was on the previous Ad Hoc Dog Committee and proved to be the voice of reason and acted as a good mediator. By unanimous assent, the O&A Committee appointed Ms. Dunn to the Ad Hoc Dog Committee.

Councilor O'Hara nominated Valerie Nelson, a Lanesville resident and former Councilor. He said she had years of experience working on city matters and was a dog lover. **Councilor LeBlanc** expressed concern that Ms. Nelson will need to remain open minded and actively works towards compromise. Ms. Nelson was appointed by unanimous Committee vote to the Ad Hoc Dog Committee.

Councilor Nolan nominated Jennifer Holmgren, a resident of Ward 5 and a dog owner. **Councilor LeBlanc** endorsed Ms. Holmgren's appointment. The vote was unanimous by the Committee for Ms. Holmgren as an Ad Hoc Dog Committee member.

Councilor LeBlanc asked that Steve Ludwick be appointed to the Ad Hoc Committee. He noted that Mr. Ludwick has stated he is allergic to some dogs, and is not a dog owner although his significant other does own a dog. He said that Mr. Ludwick has asserted he would be able to see both sides of this issue. By unanimous vote of the Committee, Mr. Ludwick was appointed to the Ad Hoc Dog Committee.

Councilor Nolan nominated Linda Brayton to the Ad Hoc Committee. **Councilor LeBlanc** endorsed Ms. Brayton's appointment. By unanimous vote of the Committee Ms. Brayton was appointed to the Ad Hoc Dog Committee.

Councilor LeBlanc nominated Sheryl Reed as the Ad Hoc Dog Committee alternate member and was endorsed by **Councilor O'Hara**. She was voted unanimously to be appointed Alternate Member to the Ad Hoc Dog Committee.

Councilor O'Hara was asked by Councilor LeBlanc to chair the Ad Hoc Dog Committee, and Councilor Nolan endorsed his appointment. Councilor O'Hara said he would agree to chair the Ad Hoc Dog Committee.

Councilor LeBlanc said that Councilor O'Hara will arrange meetings. He reiterated that the meetings of the Ad Hoc Dog Committee are public meetings and not public hearings.

4. CC2016-008 (O'Hara) Request O&A charge an Ad Hoc Committee to study possible solutions to alleviate the traffic problems caused by excess beach traffic & report recommendations to Council (Cont'd from 02/29/16)

The Committee reviewed the applications of Gloucester residents who asked to be placed on the Ad Hoc Beach Traffic Committee to study possible solutions to alleviate the traffic issues caused by excess beach traffic with an eye for their proposing some creative solutions to the O&A Committee for their consideration for forwarding to the City Council and Administration. **Councilor LeBlanc** said he spoke with CAO, Jim Destino on this matter and

noted that the Administration has been working on several ideas and would listen to what the Ad Hoc Beach Traffic Committee comes up with through the O&A Committee. After a brief discussion amongst the Committee with City Clerk, **Linda T. Lowe's** input, it was noted there were four residents who came forward. By unanimous vote of the O&A Committee the following residents were unanimously voted by the Committee to be appointed to the Ad Hoc Beach Traffic Committee:

Attorney Naomi R. Stonberg; John Burke; Rick Doucette and Jeff Worthley

Councilor O'Hara, at his request and with Councilors LeBlanc and Nolan's endorsement, will act as the Ad Hoc Committee's chair.

J.D. MacEachern, former member of the city's Beach and Recreation Committee, voiced his concerns about the city's issues with beach traffic, and remarked that there are no easy solutions to the city's summer traffic.

5. CC2016-010 (Cox) Amend GCO Sec. 22-267 "One Way Streets-Generally" re: Derby Court (Cont'd from 03/14/16)

The Committee reviewed that the Traffic Commission at its Mar. 24 meeting said it would conduct a site visit, talk with neighbors and make a determination what was the safest way to employ a one-way street in this immediate area. The Commission continued the matter to their April meeting. As the O&A Committee would not meet again until May 2, this matter was continued to that date.

This matter is continued to May 2, 2016.

6. CC2016-013 (O'Hara) Request O&A Committee to consider whether GCO Sec. 22-284(b) "Service or Loading Zones" should be amended to allow additional overnight parking from 7:00 p.m. until 6:00 a.m. (Cont'd from 03/14/16)

Upon noting that the Traffic Commission at its Mar. 24 meeting reviewed CC2016-013 and had made a determination there is already in the Code of Ordinances a provision for public parking in loading zones from 6:00 p.m. to 6:00 a.m., the Commission said it didn't recommend a change to those hours.

Councilor O'Hara explained the impetus for this Council Order was a local Main Street restaurateur who had noted some loading zones in his area didn't indicate parking was allowed after certain hours for the general public and had expressed his concern.

Councilor LeBlanc said that some of this issue is that this has to do with an issue of lack of signage in the downtown area as there is an ordinance on record, and suggested the Councilor could submit a Request to the Mayor through to the DPW to help remedy the situation.

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 permit the withdrawal of CC2016-013 (O'Hara) Request O&A Committee to consider whether GCO Sec. 22-284(b) "Service or Loading Zones" should be amended to allow additional overnight parking from 7:00 p.m. until 6:00 a.m. without prejudice.

7. Resolution to Express the City of Gloucester's Opposition to Offshore Drilling in the Atlantic: To review recommendations of Councilors Memhard & Orlando & General Counsel, Chip Payson (Cont'd from 03/14/16)

After a Committee discussion on this matter, and consulting Chip Payson, General Counsel, as well as highlighting that President Obama had withdrawn the proposal for oil and gas drilling in the Atlantic, the Committee suggested this matter be closed at the Committee level and that no further action was necessary by the Council other than to withdraw the Resolution without prejudice.

This matter is closed.

8. CC2016-011 (Ciolino) Election of City Clerk pursuant to City Charter Sec. 2-7(a)(Cont'd from 03/14/16)

Ms. Lowe reported that she has chosen at this time to retire from her position as City Clerk and would not be seeking reelection for another two-year term.

Councilor LeBlanc thanked Ms. Lowe not only for her seven years as City Clerk in service to Gloucester, but as well as her nearly 19 years as the city's General Counsel. Councilors Nolan and O'Hara each offered their thanks to Ms. Lowe for her extraordinary municipal service.

Ms. Lowe then nominated Joanne Senos to a new two-year term as Assistant City Clerk.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council, pursuant to the City of Gloucester City Charter Sec. 2-7(a) concerning the reappointment of the Assistant City Clerk, that the City Council reappoint Joanne Senos as the Assistant City Clerk for a term of April 2016 to April 2018.

The matter of CC2016-011 upon reporting under O&A Committee Report at the April 12 City Council meeting is considered closed.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:45 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.