

# City of Gloucester

## City Council

CITY HALL • GLOUCESTER • MASSACHUSETTS • 01930  
Telephone 508-281-9722 Fax 508-281-8472

CITY COUNCIL STANDING COMMITTEE  
Ordinances & Administration  
Monday, August 23, 2010 – 6:30 p.m.  
1<sup>st</sup> Fl. Council Conference Rm. – City Hall

### AGENDA

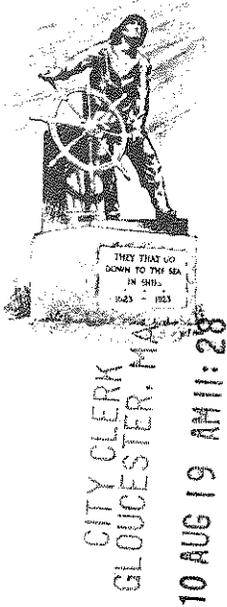
#### 1. Continued Business

- A) CC2010-026 (Hardy) Adoption of Ordinance under GCO Chap. 2, Art. V, Sec. 2-400 re: Responsibilities of designated member of their Board, Commission or Committee (Cont'd from 05/03/10)
- B) CC2010-033 (Hardy) Amend Sec. 22-292 (Fire Lanes) of the GCO by ADDING Andrews Street from Lanes Cove Seawall et. al. (Cont'd from 07/26/10)
- C) CC2010-034 (Hardy) Amend Sec. 22-267 (One Way Streets-Generally) of the GCO by DELETING Washington Street from Andrews Street to Butman Avenue and ADDING GCO Sec. 22-270 (Parking Prohibited at all Times) et. al. (Cont'd from 07/26/10)
- D) CC2010-41 (Hardy) Amend Sec. 22-270 (Parking Prohibited at all Times) of the GCO by ADDING Holly Street, both sides from its intersection with Dennison Street et. al. (Cont'd from 07/26/10)
- E) CC2010-042 (Hardy) Amend Sec. 22-291 (Tow Away Zones) by ADDING Holly Street both sides from its intersection with Dennison Street et. al. (Cont'd from 07/26/10)
- F) CC2010-043 (Hardy) Ordered that the Speed Limit on Holly Street from its intersection with Dennison Street in a southerly direction to Pole #1095 be posted at 20 m.p.h. (Cont'd from 07/26/10)
- G) CC2010-047 (Curcuru) Amend Sec. 22-270 (Parking Prohibited at all Times) of the GCO by ADDING from #5 Wells Street to intersection of Beacon Street (Cont'd from 07/12/10)
- H) CC2010-048 (Verga) Amend Sec. 22-270 (Resident Sticker Parking Only) of the GCO by ADDING areas of Lexington Avenue/Shore Road (Cont'd from 07/12/10)
- I) CC2010-049 (Verga) Amend Sec. 22-287 (Disabled veteran, handicapped parking) of the GCO re: Lexington Avenue (Cont'd from 07/26/10)
- J) CC2010-052 (Mulcahey) Amend Sec. 22-284 (Service or Loading Zones) of the GCO re: 6 Elm Street (Cont'd from 07/26/10)
- K) COM-033: Letter from Citizen Group "Who Decides" (Continued from 07/12/10)

#### 2. Appointments

Joel Favazza Capital Improvement Advisory Board (CIAB) TTE 02/14/2013

#### 3. CC2010-058 (Ciolino) Amend Gloucester Code of Ordinances §9-1 and §9-2(A)



4. *CC2010-059 (Theken) Amend GCO Sec. 22-287 (Disabled veteran, handicapped parking) re: 2 Harvard Street, one handicapped space (TBC 9/20/10)*
5. *CC2010-060 (Mulcahey) Amend GCO Sec. 22-287(Disabled veteran, handicapped parking) re: Ciaramitaro/Gemellaro Playground (TBC 9/20/10)*

**COMMITTEE**

**Councilor Sefatia Theken, Chair**  
**Councilor Ann Mulcahey, Vice Chair**  
**Councilor Bruce Tobey**

**Committee members – Please bring relevant documentation**

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

CC: Mayor  
Jim Duggan  
Linda T. Lowe

**CITY COUNCIL STANDING COMMITTEE  
Ordinances & Administration Meeting  
of  
Monday, August 23, 2010**

For items listed under #1) Unfinished Business, not found in this agenda packet, back up information was presented in previous agenda packets and can be found on the City website under City Council Standing Committee Agenda Packets or on file in the City Clerk's Office.

**CITY OF GLOUCESTER  
TRAFFIC COMMISSION**

**A meeting will be held on Thursday July 29, 2010 at 6:00 p.m.  
at the third floor conference room at Gloucester City Hall**

*Please conduct your own site visits when convenient*

**Meeting was opened at 6:03 p.m. by Chairman Robert Ryan. Attending were members Larry Ingersoll, Anthony Bertolino, Robert Francis and Michael Mucahey. City Councilors Steven Curcuru and Jackie Hardy, and also attending were residents Brenda Fogarty and Joan Palmacci**

*The following two orders were tabled from our last meeting:*

Order #CC2010-033 (Councilor Hardy) Ordered that Sec. 22-292 (Fire Lanes) of the GCO be amended by

ADDING: Andrews Street, from the point running along the Lanes Cove seawall to a point to be determined by the Traffic Commission so as to allow adequate passage of emergency vehicles at times when the area is crowded with vehicles using the public landing.

And further:

That the TC review the signage in the area of the Public Landing and make recommendations on improving same for clarity purposes of the public.

*JUNE MEETING: After a discussion and speaking to Councilor Hardy and several area residents, A MOTION was made, seconded and PASSED to **TABLE** this matter until a group site visit with area residents can be done. There was some confusion of the actual area to be designated. The TC hopes to schedule this visit during a busy period to see the area at its most congested.*

*JULY MEETING: After a site visit with TC members, residents and Councilor Hardy the following recommendations were made to the various requests*

*The AMENDED Order should now read:.*

*Order #CC2010-033 Fire Lanes (Sec 22-292) be amended by ADDING Andrews Street, both sides, from its intersection with Lanes Cove Road, in a northeasterly direction, to its end, a point 95 feet in a northeasterly direction from pole #511.*

*A MOTION was MADE, SECONDED AND PASSED TO APPROVE THE AMENDED ORDER.*

*A **NEW ORDER** should be made to go along with this one to make the above area a TOW AWAY ZONE (Sec. 22-291) also.*

*A **NEW ORDER** should be made AMENDING Sec 22-288 (Off Street Parking) of the GCO by ADDING:*

*Lanes Cove Lot (situated at the end of Andrews Street), northerly side (Seawall side) to be designated 'VEHICLE PARKING ONLY) with the southerly side (Bushes) to be designated 'VEHICLE, BOAT AND/OR TRAILER PARKING'. This allows for the passage of a FIRE LANE between the two designated areas.*

*A **NEW ORDER** should be made Amending Sec 22-270 (Parking Prohibited at ALL TIMES) of the GCO by ADDING:*

*Andrews Street, westerly side, from its intersection with Langsford Street, in a northerly direction, to its intersection with Lanes Cove Road.*

*A **NEW ORDER** should be made to go along with the above to make the area a TOW AWAY ZONE (sec 22-291)*

*The TC also recommends that the corner of Langsford Street where it meets Andrews Street on the northerly corner needs to be defined and when it has, signs reinforcing the 'NO PARKING' within 20 feet of the intersection be installed on both the Langsford Street and Andrews Street ends. This would make the intersection more visible for drivers coming out of Andrews Street.*

*The TC also recommends that the current 'NO PARKING HERE TO CORNER' sign on the southeasterly corner of Andrews Street and Langsford Street be removed.*

*Order #CC2010-034 (Councilor Hardy) Ordered that sec 22-267 of the GCO (One Way Streets) be amended by DELETING:*

*Washington Street from Andrews Street to Butman Avenue, in a northerly direction, during church services including special functions such as funeral services and special services, with portable signs to be placed by members of the church with police to be notified for other than Sunday mornings between 9:30 a.m. and 1:00 p.m.*

*And ADDING: Sec 22-270 of the GCO (Parking Prohibited at all Times) Washington Street, southerly side, from Andrews Street in an easterly direction to Langsford Street.*

*JUNE MEETING: E Mails from John Bjorlie and Anne Deneen against any changes were read into the record. A discussion was held with Councilor Hardy and several area*

residents. The consensus was that the requested No Parking area was too long on Washington Street and it was suggested that the restrictions end at McClellan St, Butman Ave or someplace in between. Despite the objections of the church to make no changes, the consensus was that the current one-way ordinance be deleted. At this time, A MOTION was made, seconded and PASSED to **TABLE** this order and combine a site visit with the previous one concerning Andrews Street.

*JULY MEETING: CC#2010-034 After a site visit with residents and Councilor Hardy, the TC recommends the order reads as follows:*

*DELETING the current one way ordinance and ADDING Sec 22-270 (Parking Prohibited At All Times) Washington Street, southerly side, from Andrews Street in an easterly direction to its intersection with Langsford Street.*

*A MOTION was MADE, SECONDED AND PASSED (4-1 vote with M. Mulcahey in the negative) to APPROVE the Order as Amended.*

*A **NEW ORDER** can also be made, if needed, to make the above a TOW AWAY ZONE (Sec 22-291)*

### **NEW ORDERS**

Order #CC2010-041 (Councilor Hardy) Ordered that GCO Sec. 22-270 (Parking Prohibited at all Times) be amended by”

ADDING: Holly Street, both sides, from its intersection with Dennison Street in a southerly direction to pole #1095

And further

Ordered that this matter be referred to the TC and O&A for review, recommendation and measurements.

*After a discussion, a MOTION was MADE, SECONDED and PASSED to APPROVE the order as requested.*

Order #CC2010-042 (Councilor Hardy) Ordered that GCO 22-291 (Tow Away Zones) be amended by ADDING: Holly Street, both sides, from its intersection with Dennison Street in a southerly direction to pole #1095

*After a discussion, a MOTION was MADE, SECONDED and PASSED to APPROVE the order as requested.*

Order #CC2010-043 (Councilor Hardy) Ordered that the speed limit on Holly Street from its intersection with Dennison Street in a southerly direction to pole #1095 be posted at 20 MPH.

*After a discussion and speaking to Councilor Hardy, The TC recommends that this order be in effect for the **ENTIRE LENGTH of Holly Street** (20 MPH). A MOTION was MADE, SECONDED and PASSED to RECOMMEND the 20 MPH limit. The amended order should read Holly Street for its ENTIRE length from its intersection with Washington Street to its intersection with Dennision Street.*

*The TC feels that a 20 MPH limit on narrow residential streets with no sidewalks is proper.*

FOR TC INFORMATION ONLY – NO VOTES OR REFERRALS NEEDED  
City Council will decide at a Public Hearing

Orders #CC2010-044 and 2010-045 (Councilor Mulcahey)

Deleting Handicapped Parking spaces at #31 and #25 Elm Street.

Order #CC2010-047 (Councilor Curcuru) Ordered that the GCO Sec. 22-270 (Parking Prohibited at All Times) be amended by ADDING:

From #5 Wells Street to intersection of Beacon Street.

*After a discussion and speaking with an area resident, the TC made a MOTION which was seconded and PASSED to APPROVE the order with the AMENDMENT that the no parking be on **BOTH SIDES** with one sign installed on pole #5078 pointing towards Beacon Street, and another sign in front of 5 Wells Street also pointing towards Beacon Street Or 'NO PARKING EITHER SIDE' signs be used and placed where appropriate.*

*A **NEW ORDER** will be needed to make this restriction a TOW AWAY ZONE (Sec 22-291) if so desired.*

Order #2010-048 (Councilor Verga) Ordered that the O&A Committee together with the TC review the parking situation along Lexington Avenue/Shore Road intersection and surrounding area so as to address neighborhood concerns with parking; and further ordered that sec. 22-270 (Resident Sticker Parking Only) of the GCO be amended by ADDING: areas of Lexington Avenue/Shore Road.

*After a discussion and speaking to an area resident, a MOTION was made, seconded and PASSED to APPROVE the order with the following wording: RESIDENTIAL STICKER PARKING ONLY (SEASONAL May 1 – Sept. 15) Lexington Avenue, both sides, from its intersections with Cliff Avenue and Oakes Avenue in a southerly direction (Towards Shore Road)*

*A **NEW ORDER** will also need to be made to make this restriction a TOW AWAY ZONE (Sec 22-291) if so desired.*

**The meeting was adjourned at 7:00 p.m.**

ROBERT RYAN, Chairman

LARRY INGERSOLL, Secretary

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Nine Dale Avenue  
Gloucester, MA 01930



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CITY OF GLOUCESTER  
OFFICE OF THE MAYOR

July 28, 2010

Mr. Joel Favazza  
10A Luzitania Avenue  
Gloucester, MA 01930

Dear Joel:

Thank you for your interest in serving on the **Capital Improvement Advisory Board (CIAB)**. I have issued you a 90-day temporary appointment to serve on this board which will enable you to attend and vote at meetings. Please report to the City Clerk's office at your earliest convenience to pick up your appointment card (*copy enclosed*) and be sworn in.

Your appointment will be forwarded to the City Council for their August 17, 2010 meeting and will be referred out to the Ordinance and Administration subcommittee. You will be contact by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

Should you have any questions or if you require additional information, please do not hesitate to contact my office.

Again, thank you for agreeing to serve on the CIAB. I truly appreciate the hard work and dedication you and your colleagues on this important board offer on behalf of the City of Gloucester.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolyn A. Kirk". The signature is fluid and cursive.

Carolyn A. Kirk  
Mayor

Enclosure

cc: Mayor's Report to the City Council  
Donald Fryklund, Chair-CIAB

**Christine Pantano**

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**From:** Joel Favazza [joel.favazza@gmail.com]  
**Sent:** Saturday, July 10, 2010 9:51 AM  
**To:** cpantano@ci.gloucester.ma.us  
**Subject:** Ad hoc Water Commission / CIAP

To Whom it May Concern:

In response to the Mayor's request in the Saturday, July 10, 2010, Gloucester Daily Times, I wanted to volunteer my time and services if needed for either the to-be-formed Water Commission or the CIAP. As I am taking the Bar Exam at the end of July, my availability will be limited until August 1. If more immediate availability is needed and sufficient volunteers are found, I understand. If not, feel free to let me know how I can help. Thanks.

Joel Favazza  
10A Luzitania Ave  
Gloucester, MA  
617-335-3127

8/9/2010

### DIVISION 3. CAPITAL IMPROVEMENTS

#### Sec. 2-585. Annual planning; capital improvements advisory board established.

A long range plan to serve as guidelines for capital improvements in the city shall be prepared each year in writing by the mayor subject to approval by the city council. Development of the plan shall take into account the recommendations made by a capital improvements advisory board, which is hereby established.

(Code 1970, § 2-18)

#### Sec. 2-586. Capital improvements advisory board--Function, composition, appointment, terms of office.

(a) The capital improvements advisory board shall consist of seven (7) members appointed by the mayor from the community at large with due care for providing an optimum mix of background and expertise, whose terms of three (3) years shall be staggered. The mayor shall designate a chairman of the board, who shall serve for a term of one (1) year and may be reappointed. All the members of the board shall elect a vice chairman from the membership, again on a yearly basis. No member of the city council shall serve as a member of the board.

(b) The board shall be appraised of the preparation of the ten-year capital improvements program developed by the community development department on a continuing basis, shall review the final ten-year program and shall submit a report on its review to the mayor.

(c) Minutes of each meeting of the capital improvements advisory shall be forwarded forthwith to each member of the city council.

(Code 1970, § 2-21; Ord. of 8-6-85, § 1; Ord. No. 6-1991, § 1, 2-26-91)

#### Sec. 2-587. Capital improvement plan.

(a) The capital improvement plan shall be concerned with physical facilities, such as land, buildings or other structures, or pieces of equipment, which require a relatively large investment and have a relatively long useful life.

(b) The capital improvement plan shall specify a detailed program of capital expenditures over a period of ten (10) fiscal years from the date on which it becomes effective and shall specify the methods of financing the proposed capital improvements.

(c) Guidelines for the planning process, specifying minimum cost and useful life of capital improvements to be considered in the capital improvement plan, the maximum proportion of total budget to be devoted to capital improvements, and any restrictions on methods of financing, shall be established on recommendation of the mayor and approval by the city council.

(d) The capital improvement plan shall be submitted by the mayor to the city council no later than ninety (90) days before the first day of the fiscal year in which it is to take effect. The plan shall be updated annually during the time it is in effect.

(Code 1970, §§ 2-19, 2-20; Ord. No. 6-1991, § 1, 2-26-91)

#### Sec. 2-588. Scope of division.

Nothing in this division shall be construed as preempting or diminishing the statutory prerogatives of the city council or the mayor.

(Code 1970, § 2-22)



**CITY OF GLOUCESTER 2010  
CITY COUNCIL ORDER**

<b>ORDER:</b>	<b>#CC2010-058</b>
<b>Councillor</b>	<b>Joe Ciolino</b>

<b>DATE RECEIVED BY COUNCIL:</b>	<b>08/17/10</b>
<b>REFERRED TO:</b>	<b>O&amp;A &amp; B&amp;F</b>
<b>FOR COUNCIL VOTE:</b>	

**ORDERED** that the Gloucester Code of Ordinances §9-1 and §9-2(A) be amended by

ADDING at §9-1 the following:

- Definitions “small non-profit entity “small” business.

ADDING at §9-2(a) the following:

- Small non-profit entities and small businesses as defined in §9-1 shall be allowed one recycling bin and one “commercial” trash bag per week. Fees for said commercial bags to be determined by the DPW Director not to be 50% higher than costs of residential bags.

And Further

**ORDERED** that his matter be referred to the Ordinances and Administration Committee and the Budget and Finance Committee.



**CITY OF GLOUCESTER 2010  
CITY COUNCIL ORDER**

<b>ORDER:</b>	<b>#CC2010-059</b>
<b>Councillor</b>	<b>Sefatia Theken</b>

<b>DATE RECEIVED BY COUNCIL:</b>	<b>08/17/10</b>
<b>REFERRED TO:</b>	<b>TC &amp; O&amp;A</b>
<b>FOR COUNCIL VOTE:</b>	

**Ordered** that the GCO Sec. 22-287, entitled "Disabled veteran, handicapped parking", be amended by **adding**:

one (1) handicapped parking space, in front of 2 Harvard Street

And further

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

Councillor Sefatia Theken



**CITY OF GLOUCESTER 2010  
CITY COUNCIL ORDER**

**ORDER:** #CC2010-060  
**Councillor** Ann Mulcahey

**DATE RECEIVED BY COUNCIL:** 08/17/10  
**REFERRED TO:** TC & O&A  
**FOR COUNCIL VOTE:**

**Ordered** that the GCO Sec. 22-287, entitled "Disabled veteran, handicapped parking", be amended by **adding**:

one (1) handicapped parking space at the Ciaramitaro/Gemellaro Playground

And further

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

Councillor Ann Mulcahey