

CITY CLERK
GLOUCESTER, MA
2019 MAY 16 PM 3:27



GLOUCESTER CITY COUNCIL
Ordinances & Administration Committee
Monday, May 20, 2019 - 6:00 p.m.
1st Fl. Council Committee Room – City Hall

AGENDA

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

1. **Reappointments**
Gloucester Housing Authority Dorothy Martins TTE 05/28/24
2. **Application of Eric Magers for a Permit for Scientific Research in Coastal Waters & Tidal Flats of the City of Gloucester pursuant to GCO Ch. 20, Sec. 20-27 “Permits for Scientific Works in coastal waters and flats of city”**
3. **Memorandum from the Human Resources Director re: amendment to the Personnel Ordinance for Job Classification, AFSCME A (TBC 06/03/19)**
4. **CC2019-014 (Lundberg, O’Hara, Nolan): request City Council amend Ch. 11, Sec. 11-10(f) “Special Events; Transient Vendors; Parades” re: Special Events Committee and/or licensing commission shall refer all special events/parades requests that involve the use of Stacy Boulevard or Stage Fort Park to the City Council for final approval (Cont’d from 05/06/19)**
5. **Memorandum from the Human Resources Director re: draft Disabilities Rights Commission Ordinance**
6. **CC2019-019 (Gilman): Amend GCO Ch. 2 “Administration,” Div. 8-“Human Rights Commission,” by ADDING the following sections: 2-502 “Disabilities Rights Commission Established; Terms,” 2-503 “Election of chairperson; rules of procedure; quorum,” 2-504 “Purposes,” 2-505 “Definition of person with disability,” 2-506 “Powers and duties,” and 2-507 “Records”**
7. **Memorandum from the Mayor: endorsement of the establishment of a Dogtown Preservation Commission**
8. **CC2019-020 (Gilman, Lundberg): Amend GCO Ch. 2 “Administration,” Art. V “Boards, Commissions, Councils and Committees” be amended by ADDING a new Division 18 entitled, “Dogtown Preservation Commission”**
9. **CC2019-021 (Memhard): Amend GCO Ch. 22 “Traffic and Motor Vehicles,” Sec. 22-292 “Fire Lanes” be amended re: Horton Street (TBC 06/03/19)**
10. **CC2019-009 (Hecht): re: amend GCO by prohibiting the use and distribution of single use plastic straws, stir sticks & hotstoppers in food service establishments (also referred to Board of Health)(Cont’d from 05/106/19)**
11. **Committee Discussion on Fluoridation of the Public Water Supply in the City of Gloucester**

COMMITTEE

Chair, Councilor Steven LeBlanc
Vice Chair, Councilor Jamie O’Hara
Councilor Sean Nolan

CC: Joanne Senos
Jim Destino
Chip Payson
Donna Leete

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.

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Nine Dale Avenue
Gloucester, MA 01930



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stheken@gloucester-ma.gov

**CITY OF GLOUCESTER
OFFICE OF THE MAYOR**

April 11, 2019

Ms. Dorothy Martins
23 Concord Street
Gloucester, MA 01930

Dear Dorothy:

I am pleased to reappoint you to a five year term to the **Gloucester Housing Authority**. Your appointment will be sent to the City Council for their meeting of April 23, 2019. Confirmation of your appointment will be referred out to the next Ordinance and Administration standing committee meeting, and you will be notified by the Clerk of Committees as to the date on which the O&A Committee will review your appointment.

On behalf of the City of Gloucester, I greatly appreciate your dedication to public service and look forward to continuing to work with you in the coming years to help make Gloucester a better place for all of us to live.

If you have any questions or if you require additional information, please feel free to contact my office.

Thank you again,

Sincerely,

A handwritten signature in black ink, appearing to read "Stefania Romeo Theken".

Stefania Romeo Theken,
Mayor

May 1, 2019

CITY CLERK
GLOUCESTER, MA

2019 MAY -2 AM 9:48

Gloucester City Council

9 Dale Ave.

Gloucester, MA 01930

Dear City Council,

My organization, Seaside Sustainability, Inc. would like to submit a request for a special permit to conduct scientific research in the coastal waters and tidal flats of the City of Gloucester per city ordinance Chapter 20, Section 27A, which states "No person shall conduct scientific experiments, investigations, research or laboratory work on the coastal waters and flats of the city without obtaining a special permit therefor from the city council."

Seaside Sustainability intends on assisting city departments in water quality monitoring, conducting mudflat acidification assessments and monitoring and assessing the health of eelgrass beds. We are also involved with the study and removal of invasive green crabs, a major threat to local shellfish and marshes.

We respectfully request the City Council to approve issuance of a scientific research permit by the Shellfish Department. Thank you.

Respectfully



Eric Magers

Seaside Sustainability, Inc.

SHELLFISH DEPARTMENT
Nineteen Harbor Loop
Gloucester, MA 01930



TEL (978) 325-5248 (OFFICE)
(978) 949-1223 (CELL)
pseminara@gloucester-ma.gov

Application for Permit for Scientific Research in the Coastal Waters and Tidal Flats of the City of Gloucester

Name: *Eric Magers*

Organization: *Seaside Sustainability, Inc.*

Address: *P.O. Box 131, Gloucester, MA 01930*

Primary Collector: *Eric Magers*

Secondary Collector(s): *Josh Sheridan, Ben Alyn, McKenzie Woodman,*

2019 MAY -2 AM 9:48
CITY CLERK
GLOUCESTER, MA

Briefly describe the activities you intend to conduct, i.e. water sampling, organism collection, sediment sampling, etc. ORGANISMS MAY NOT BE SOLD.

- mudflat quadrat transect
- water samples
- fishnet counts
- eelgrass data
- marine debris trawls

Signature:

Date:

5/2/2019

Sec. 20-27. - Permit for scientific work in coastal waters and flats of city.

- (a) No person shall conduct scientific experiments, investigations, research or laboratory work on the coastal waters and flats of the city without obtaining a special permit therefor from the city council.
- (b) The only exception to the requirement of this section shall be collection permits granted by the state division of marine fisheries for the purpose of conducting scientific experiments. School and scout groups may be exempted when conducting experiments.

(Ord. No. 49-95, § 1, 12-29-1995)

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CITY OF GLOUCESTER
PERSONNEL DEPT.

TO: Mayor Sefatia Romeo Theken
FROM: Donna Leete, ^{DL} Human Resources Director
DATE: April 29, 2019
RE: Request to Amend Personnel Ordinance for Job Classification, AFSCME A
CC: Michael Hale, DPW Director
Joseph Biondo, President AFSCME Local 687, A Unit
Chip Payson, General Counsel

As you know, your administration recently settled a collective bargaining agreement with AFSCME Local 687, A Unit. The subject of this agreement was the implementation of a new, long anticipated job classification plan and wage schedule for all positions covered by the collective bargaining agreement. The union-ratified job classification plan reflects a true labor/management team effort over the past two years. We have thanked the following union members for their tireless leadership in developing the new plan: Joe Biondo, President, Tom Nolan, Vice-President, Chris Rose, Plumber, William Gillis, DPW Utilities Superintendent, Phil Curcuru, Carpenter, and John Silva, Custodian. In addition, please recognize the hard work and commitment of Mike Hale, DPW Director and Mark Cole, Assistant DPW Director throughout every step of this comprehensive work project.

In job classification, focus is maintained on the position itself rather than the person who occupies the position. The labor/management team proceeded after accepting the point-factor job classification system first provided by the Collins Center consultants in 2016, as well as the employee job questionnaires collected by the Collins Center. We found that the consultants' recommendations were limited in scope, however, as we recognized the need to develop a more thorough analysis and career advancement opportunities in the Department of Public Works. Each position has been analyzed for points assigned in three (3) or more categories in thirteen (13) different job factors (see Appendix A). Total points assigned determined the assignment of each position to a job grade (see Appendix B).

The new classification plan for AFSCME A reflects the high standards we hold for a professional workforce and will serve to motivate employees to advance through a true career ladder. Appendix C reflects six (6) different job groups in the bargaining unit and at least three (3) levels

of professional advancement within each job group. This new classification plan has resulted in new standard job descriptions for all 92 members of the bargaining unit.

Following the position classification process was the compensation review process. The resulting new pay schedule (Appendix D) contains fifteen (15) different job grades at 4% intervals. Each step is now a standard 2.5% apart throughout each grade in the pay schedule. The former AFSCME A pay schedule (Appendix E) lacked uniformity between all grades and steps. In addition, an eight (8) grade system proved too flat and created compensation inequities. For example, previously all licensed drivers had been graded equally, in spite of the advanced licensure requirement for a Hoisting Equipment Operator (HEO) beyond the CDL licensure requirement for a Heavy Motor Equipment Operator (HMEO).

If you approve this information package as presented, I ask that you forward it to the Gloucester City Council to process an amendment to the Gloucester Code of Ordinances, Appendix C, Personnel Ordinance, Appendix A – Classification Plan. Within the Personnel Ordinance, Article IV – Classification Plans (Appendix F) describes a centralized job classification plan, which includes those positions developed through the collective bargaining process. While it appears that City Council approval of the classification of such bargained union positions is not required, Appendix A was designed to serve as a central repository for all classification plans operating in the City (except for the School Department and temporary positions). However, it is apparent that Appendix A has not been maintained and updated throughout the years and many amendments and corrections are now needed.

I look forward to further discussions with our City Councilors on the practicality of frequent amendments to this ordinance, needed every time a new union position is created through bargaining or a contract is settled with job classification revisions. Position changes are fluid and a public hearing is required for each ordinance amendment. I am prepared, however, to develop a list of all position deletions needed in the current ordinance concerning AFSCME A positions and the substitution of this new classification plan in Personnel Ordinance Appendix A (see Appendix B). Thank you for your continued support of this key initiative impacting all AFSCME A employees.

Classification Point Factors

	1 st	2 nd	3 rd	4 th	5 th	6 th	7 th	POINTS
SUPERVISION RECEIVED	5	10	20	30	40	60		
SUPERVISION EXERCISED	20	40	75					
ACCOUNTABILITY	5	10	20	30	40	60	80	
JUDGMENT	10	20	50	75	100			
COMPLEXITY	5	10	15	20	25			
NATURE AND PURPOSE OF CONTACTS	10	25	50	75	100			
CONFIDENTIALITY	10	20	30					
EDUCATION	20	40	60	80	100			
EXPERIENCE	10	30	50	70	90	100		
WORK ENVIRONMENT	10	25	40	65				
PHYSICAL DEMANDS	10	25	40	65				
MOTOR & VISION SKILLS	10	20	35	60				
OCCUPATIONAL RISKS	5	15	20	25				
							Total	

AFSCME A Classification Plan

<u>Position</u>	<u>New Grade</u>	<u>Old Grade</u>	<u>Job Class</u>
Animal Control Officer	H	7	E1
Assistant Carpenter	F	6A	T3
Assistant Shellfish Warden	F	5	E2
Carpenter	M	8B	T1
Custodian	C	5	C2
Custodian Supervisor	E	6A	C1
Electrician	N	8B	T1
Entry Level Maintenance	B	5	L2
Facilities Maintenance 1	D	6	L1
Facilities Maintenance Specialist	E	6	LS
HEO Utilities	H	6	DO2
HMEO Utilities	G	6	DO3
HVAC Tech	N	8B	T1
Jr. Custodian	A	5	C3
Mason	F	6A	T3
Master Mechanic	N	8B	T1
Motor Equipment Repair	F	6	T3
Motor Equipment Mechanic	M	8	T2
Parking Control Officer	C	5	E3
Parking Meter Technician	C	6	E3
Plumber	N	8B	T1
Public Works Inspector	H	7	E1
Public Service Maintenance 1	D	5	L1
Public Service Maintenance Craftsman	I	6A	S4
Public Service Working Foreman	J	7	S3
Rink Maintenance 1	D	6	L1
Shellfish Warden	H	7	E1
Stadium Maintenance Specialist	E	6A	LS
Storekeeper	F	7	E2
Superintendent Central Services	O	8B	S1
Superintendent Facilities	O	8B	S1
Superintendent Public Utilities	O	8B	S1
Traffic Maintenance 1	D	6A	L1
Utilities Maintenance 1	D	5	L1
Utilities Maintenance Craftsman	J	6A	S3
Utilities Maintenance Specialist	E	5	LS
Working Foreman Utilities	K	7	S2
Working Foreman Custodian	J	7	S3

**CITY OF GLOUCESTER AND AFSCME UNIT A
POSITION RECLASSIFICATION JOB SERIES**

CUSTODIANS

3 - Custodian

Grade A \$18,50 - \$26,41

Member of work crew
Supervised work

Less accountability, judgment,
experience, independent action

2 - Building Custodian

Grade C \$20.01 - \$28.27

Responsible for building
Not supervised

Medium accountability, judgment,
Independent action

1-3 years experience

1 - Custodian Supervisor

Grade E \$21.64 - \$30.58

Crew supervisor – large school
Supervisory responsibility

More accountability, judgment,
Independent action

3+ years experience

LABOR SERVICES

Maintenance 2 - Entry Level

Grade B \$19.24 - \$27.19

All maintenance positions DOH
Status review at 6 month
intervals prior to advancement

Maintenance 1 - Experienced

Grade D \$20.81 - \$29.40

Facility, Utility, Traffic, Rink,
Public Services Maintenance

Full proficiency required
after training

Labor Specialists - 15

Grade E \$21.64 - \$30.58

Stadium Specialist, Service Truck Specialist,
Meter Reader/Cross Connection Inspector
Facilities Maintenance Labor Specialist

4 independent stand-alone positions

Special skills gained by training & experience

DRIVERS SERIES

Driver Operator 3

Grade G \$23.41 - \$33.10

HMEO -CDL license
Tanker endorsement preferred
3-9 ton vehicles

Large tractors, sweepers,
road flushers, snow loaders

Driver Operator 2

Grade H \$24.34 - \$34.40

HEO Public Services
HEO Utilities entry-level
CDL + advanced hoisting/hydraulics
License required

Backhoes, excavators, front-end loaders
Vactors, etc.

Driver Operator 1

Grade I \$25.32 - \$35.77

HEO – Utilities experienced
CDL, Class B +DPS2A hoisting license required

More occupational risk, safety precautions needed

ENFORCEMENT/COMPLIANCE SERIES

Enforcement 3

Grade C \$20.01 - \$28.27
Parking Officer
Meter Technician

Less accountability, judgment, experience, independent action

Enforcement 2

Grade F \$22.51 - \$31.82
Assistant Shellfish Warden
Storekeeper

More accountability, judgment, experience, independent action

Enforcement 1

Grade H \$24.34 - \$34.40
Shellfish Warden
Public Works Inspector
Animal Control Officer

More public interface, judgment

TRADES SERIES

Trades 3

Grade F \$22.51 - \$31.8

Vocational training degree required
Journeyman license preferred;
Apprentice

Mason
Carpenter's Assistant
Motor Equipment Maintenance

Trades 2

Grade M \$29.62 - \$41.87

Journeyman License required
Supervisor available

Carpenter
Mechanic

More experience, accountability

Trades 1

Grade N \$30.80 - \$43.53

Trades License required
No Supervisor available

Plumber
Master Mechanic
Electrician
HVAC Technician
Most experience, judgment, communication

SUPERVISOR SERIES

Supervisor 4

Grade I \$25.32 - \$35.77

Crew leader
Public Services Maint Craftsman

Supervisor 3

Grade J \$26.33 - \$37.18

Working Foreman, Public Services
Working Foreman, Custodians
Utilities Maintenance Craftsman

May supervise more than 1 crew

Supervisor 2

Grade K \$27.38 - \$38.67

Working Foreman, Utilities
Supervises more than 1 crew
Utilities work, more risk

More accountability

Supervisor 1

Grade O \$32.04 - \$45.27

3 Superintendents replaced 3 Managers
Superintendents of Central Stores,
Facilities, Utilities

Most accountability, judgment, communication, education & experience

AFSCME WAGE SCALE - A
 2.5% Steps 4% between Grades
 EFF DATE
 04/01/2019

GRADE	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15	STEP 16
A	\$18.50	\$18.96	\$19.43	\$19.92	\$20.42	\$20.93	\$21.45	\$21.99	\$22.54	\$23.10	\$23.66	\$24.27	\$24.88	\$25.50	\$26.14
B	\$19.24	\$19.72	\$20.21	\$20.72	\$21.24	\$21.77	\$22.31	\$22.87	\$23.44	\$24.03	\$24.63	\$25.25	\$25.86	\$26.53	\$27.19
C	\$20.01	\$20.51	\$21.02	\$21.55	\$22.09	\$22.64	\$23.21	\$23.79	\$24.38	\$24.99	\$25.61	\$26.26	\$26.91	\$27.58	\$28.27
D	\$20.81	\$21.33	\$21.86	\$22.41	\$22.97	\$23.54	\$24.13	\$24.73	\$25.35	\$25.98	\$26.63	\$27.30	\$27.96	\$28.68	\$29.40
E	\$21.64	\$22.18	\$22.73	\$23.30	\$23.88	\$24.48	\$25.09	\$25.72	\$26.36	\$27.02	\$27.70	\$28.39	\$29.10	\$29.83	\$30.58
F	\$22.51	\$23.07	\$23.65	\$24.24	\$24.85	\$25.47	\$26.11	\$26.76	\$27.43	\$28.12	\$28.82	\$29.54	\$30.28	\$31.04	\$31.82
G	\$23.41	\$24.00	\$24.60	\$25.22	\$25.85	\$26.50	\$27.16	\$27.84	\$28.54	\$29.25	\$29.98	\$30.73	\$31.50	\$32.29	\$33.10
H	\$24.34	\$24.95	\$25.57	\$26.21	\$26.87	\$27.54	\$28.23	\$28.94	\$29.66	\$30.40	\$31.16	\$31.94	\$32.74	\$33.56	\$34.40
I	\$25.32	\$25.95	\$26.60	\$27.27	\$27.95	\$28.65	\$29.37	\$30.10	\$30.85	\$31.62	\$32.41	\$33.22	\$34.05	\$34.90	\$35.77
J	\$26.33	\$26.99	\$27.66	\$28.35	\$29.06	\$29.79	\$30.53	\$31.29	\$32.07	\$32.87	\$33.69	\$34.53	\$35.39	\$36.27	\$37.18
K	\$27.38	\$28.06	\$28.76	\$29.48	\$30.22	\$30.98	\$31.75	\$32.54	\$33.35	\$34.18	\$35.03	\$35.91	\$36.81	\$37.73	\$38.67
L	\$28.48	\$29.19	\$29.92	\$30.67	\$31.44	\$32.23	\$33.04	\$33.87	\$34.72	\$35.59	\$36.48	\$37.39	\$38.32	\$39.28	\$40.26
M	\$29.62	\$30.36	\$31.12	\$31.90	\$32.70	\$33.52	\$34.36	\$35.22	\$36.10	\$37.00	\$37.93	\$38.88	\$39.85	\$40.85	\$41.87
N	\$30.80	\$31.57	\$32.36	\$33.17	\$34.00	\$34.85	\$35.72	\$36.61	\$37.53	\$38.47	\$39.43	\$40.42	\$41.43	\$42.47	\$43.53
O	\$32.04	\$32.84	\$33.66	\$34.50	\$35.36	\$36.24	\$37.15	\$38.08	\$39.03	\$40.01	\$41.01	\$42.04	\$43.09	\$44.17	\$45.27

AFSCME WAGE SCALE - A & B
(INCLUDES NON-UNION CLERICALS)

HOURS
32.5 - 40

EFF DATE
07/01/2018

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12
4	\$16.21	\$16.76	\$17.29	\$17.78	\$18.33	\$18.90	\$19.73	\$20.53	\$20.84	\$21.17	\$21.47	\$21.81
5	\$17.29	\$17.87	\$18.42	\$19.01	\$19.60	\$20.19	\$21.20	\$22.06	\$22.39	\$22.74	\$23.06	\$23.42
6	\$18.42	\$19.06	\$19.71	\$20.38	\$21.09	\$21.78	\$22.90	\$23.83	\$24.17	\$24.53	\$24.91	\$25.30
6A	\$19.06	\$19.60	\$20.45	\$21.17	\$21.93	\$22.66	\$23.81	\$24.79	\$25.14	\$25.53	\$25.92	\$26.32
7	\$19.69	\$20.45	\$21.21	\$22.02	\$22.81	\$23.54	\$24.75	\$25.69	\$26.09	\$26.49	\$26.89	\$27.27
8	\$21.21	\$22.09	\$22.96	\$23.81	\$24.64	\$25.53	\$26.82	\$27.89	\$28.28	\$28.71	\$29.15	\$29.59
8A	\$22.96	\$23.75	\$24.50	\$25.29	\$26.03	\$26.84	\$28.05	\$29.16	\$29.60	\$30.05	\$30.49	\$30.94
8B	\$26.57	\$27.41	\$28.27	\$29.17	\$30.10	\$31.06	\$32.35	\$33.77	\$34.27	\$34.79	\$35.32	\$35.84

Sec. 4-1. - Establishment of classification plan.

- (a) Section 4-1 and appendix A shall constitute the classification plan of the city within the meaning of section 108A of chapter 41 of the general laws.
- (b) The positions of all officers and employees in the service of the city, other than the positions of officers elected by the city and those positions in the service of the school department, are hereby classified by titles listed in appendix A, whether said positions are fulltime, parttime, seasonal, casual or other in nature.
- (c) The title of each class, as established by the classification plan, shall, except as otherwise provided herein, be the official title of every position allocated to the class and the official title of each incumbent of a position so allocated and shall be used to the exclusion of all others on payrolls, budget estimates and other official records and reports pertaining to the position. If, in the instance of any position subject to the civil service law, a different title for the position shall be established by the state personnel administrator, such title shall be the official title of the incumbent of said position and shall be used on all payrolls, budget estimates and other official records and reports pertaining to the position.
- (d) Temporary positions, except positions which can be allocated to classes appearing in appendix A, shall be established by the personnel department in consultation with the appointing authority, except as otherwise provided by statute.

Sec. 4-2. - Existing and new positions.

Except for paid elective positions, positions in the service of the school department, and positions allocated to their appropriate class by the state personnel administrator pursuant to the civil service law, each position in the city service shall be allocated by the personnel department to a class established by the classification plan. No person shall be appointed, employed or paid as an employee of the city in any position subject to this classification plan under any title other than a title appearing in said plan or a title approved as stipulated in this ordinance, nor shall such a person be employed under a title inappropriate to the classification plan in terms of the duties actually to be performed, or being performed, in the position, except as provided in the emergency provisions of the ordinance. Whenever a new position is established, or the duties of an existing position are so changed as in effect to create a new position, upon presentation of sustaining data satisfactory to the personnel department, the said department shall allocate such new and changed position to its appropriate class. No position shall be reclassified until the personnel department has determined that such reclassification will be consistent with the classification and compensation plans.

Sec. 4-3. - Classification descriptions and qualifications.

- (a) The personnel department shall establish, maintain and amend from time to time as it deems necessary, written definitions or job descriptions for each class of positions established pursuant to section 4-1(b). Said definitions or job descriptions shall describe the essential character of the duties and responsibilities of positions, setting forth the minimum qualifications for entrance to positions of the class. Such definitions or job descriptions shall be descriptive only and except as provided herein with respect to minimum qualifications not restrictive.
- (b) They [the definitions or job descriptions] shall serve to define the scope of the several classes and not to prescribe in detail the duties or lines of promotion of any individual position.
- (c) In the instance of classes of positions subject to the civil service law, the minimum qualifications of employment shall be those approved by the state personnel administrator for positions of the class subject to the civil service law.
- (d) In the instance of all other classes of positions, the minimum qualifications for allocation thereto shall be prescribed by the personnel department and shall be based upon the minimum qualification recommended to said department by department heads, an examination by the personnel department of the work content of positions allocated to the class and the personnel department's study of comparable positions in private employment, in the services of other municipalities and in the state service.
- (e) Every two years, beginning in 1994, the personnel director shall review the classification system referred to in section 4-3. Further, the director shall, pursuant to 4-3(a) and 4-3(d) herein, make or recommend any necessary and appropriate changes. Further, this review shall be completed by July 1 of each review year.

(Ord. No. 10-1994, § I, 7-26-1994)

Sec. 4-4. - Compensation plan.

- (a) The compensation plan shall consist of the schedule incorporated into appendix B for management and nonunion employees, schedules incorporated into collective bargaining agreements and schedules of salary and wage rates covering other miscellaneous position classes included in the classification plan. Each position class shall be allocated to a pay grade consisting of a salary range with step increments or a single rate incorporated into the appropriate schedule.
- (b) The personnel department shall administer the provisions of the compensation plan and shall establish such policies, procedures and regulations as it deems necessary for the administration thereof subject to the requirements of section 3-2.
- (c) If a position subject to the civil service law shall be classified by the state personnel administration under a title not specified in appendix A, the city personnel department shall allocate the position class to an appropriate pay grade in the compensation plan (subject to

provisions of collective bargaining agreements where applicable).

- (d) Increases in compensation under the compensation plan, except as provided by collective bargaining agreement are permissive and are not mandatory for management personnel. Management employees shall be entitled to a salary review on the annual anniversary date of his/her employment. Merit raises for management personnel shall be awarded solely on the basis of the results of the performance evaluation process. In cases where merit raises are appropriate, an adjustment equal to at least one increment shall be awarded to the employee. Individual salaries need not be specifically established at one of the seven increments of the salary grade but may be established at any level between the minimum and maximum of the grade so long as any merit adjustments are of an amount equal to at least one increment within the range (or five percent of the salary). No increase shall become effective unless the appropriation made according to law, to which it is chargeable, is sufficient for the purpose and unless it is approved by the personnel department. The compensation plan for nonunion, nonmanagement employees shall follow that of the union employees and shall increase automatically at the same time and in the same increments as the union employee compensation plan increase.
- (e) Except for employees whose positions are covered by collective bargaining agreements, any employee occupying a position in the classification plan who is not recommended to receive the increment specified in the plan shall have the right to appeal to the personnel department. Upon receipt of such appeal, the personnel department may initiate and approve the increment without the recommendation of the department head after hearing both the employee and the department head or may deny the appeal. Employees whose positions are covered by collective bargaining agreement shall be restricted to the appeals process provided in the respective agreement.
- (f) When any management or nonunion position becomes vacant, and is to be filled, the mayor shall have the authority to establish the salary of the new employee at any rate within the pay grade assigned to the position.
- (g) The mayor shall submit annually to the city council recommended adjustments to the compensation plan for nonunion employee. Said adjustments shall if adopted become effective on the first day of the fiscal year for which they are adopted.

(Ord. of 9-6-1983, § I)



**CITY OF GLOUCESTER 2019
CITY COUNCIL ORDER**

ORDER: CC#2019-014
**COUNCILLORS: Paul Lundberg, James O'Hara,
Sean Nolan**

DATE RECEIVED BY COUNCIL: 04/09/19
REFERRED TO: O&A
FOR COUNCIL VOTE:

ORDERED that the Gloucester Code of Ordinances Chapter 11, Sec. 11-10(f) "Special Events; transient vendors; parades" be **AMENDED** by **ADDING** the following sentence:

"Further, the Special Events Committee and/or licensing commission shall refer all special events/parades requests that involve the use of Stacy Boulevard or Stage Fort Park to the City Council for final approval."

FURTHER ORDERED that this matter be referred the Ordinances and Administration Standing Committee for review and recommendation to the City Council.

Paul Lundberg
Councillor at Large

James O'Hara
Councillor at Large

Sean Nolan
Ward 5 Councillor

City Hall
Nine Dale Avenue
Gloucester, MA 01930



TEL 978-281-9742
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DLeete@gloucester-ma.gov

CITY OF GLOUCESTER

PERSONNEL DEPT.

TO: Mayor Sefatia Romeo Theken
CC: Val Gilman, City Councilor
Chip Payson, General Counsel
FROM: Donna Leete, Director of Human Resources
DATE: May 7, 2019
RE: Draft DISABILITIES RIGHTS COMMISSION Ordinance; Amendment to Division 8 –
HUMAN RIGHTS COMMISSION ordinance

Thank you for your ongoing support of the recently approved revised ordinance for the Human Rights Commission and this proposed amendment to that ordinance, which establishes the Disabilities Rights Commission as a sub-commission under the overall umbrella of the Human Rights Commission. Ward 4 Councilor Val Gilman and I share your commitment to protect equal access to all city programs, services, and facilities for all of our citizens.

Attached please find this draft Disabilities Rights Commission Ordinance, which represents a collaborative effort between your administration and Councilor Gilman. This ordinance has also been reviewed and approved by Chip Payson, General Counsel. If you approve this draft ordinance as written, we request that you forward it to the City Council for processing, which will include referring the ordinance to O & A and then to a public hearing and City Council vote. As you may recall, this amendment to the Human Rights Commission ordinance has been developed as an alternative to an individual proposal to accept M.G.L. Chapter 40 Section 8J: Council Order CC#2019-003. Councilor Gilman withdrew her ordinance proposal to establish a stand-alone Disabilities Rights Commission as she agreed it is best covered as a subsection of the recently amended Human Rights Commission ordinance. We are confident that the Disabilities Rights Commission Ordinance we propose best meets the needs of our citizens, clarifies roles and responsibilities, and establishes this commission as an advisory group to you as mayor.

In addition, pursuant to Section 7-6 of the Charter, we wish to take this opportunity to initiate the recruitment process for members of the established Human Rights Commission. Attached is an advertisement for letters of interest and resumes from interested citizens who wish to serve. This commission will be comprised of 7 members, one of whom may be an appointed or elected official. Consistent with Charter requirements, you will then submit a proposed list of appointees to the commission to the City Council for approval. Once the Disabilities Rights Commission is established by city ordinance, we will then advertise for members and follow a similar process.

Draft Ordinance Amendment: Disabilities Rights Commission

The following is submitted as a proposed amendment to the Division 8 – HUMAN RIGHTS COMMISSION ordinance.

Sec. 2 – 502 Disabilities Rights Commission Established; Terms

- (a) There shall be a sub-commission under the Human Rights Commission known as the “Gloucester Disabilities Rights Commission,” which shall consist of seven members appointed by the mayor and approved by the city council, to serve without compensation. A majority of said commission members shall consist of people with disabilities, one member may be a member of the immediate family of a person with a disability, one member shall be either an elected or appointed official of the city, and one member shall also serve as a member of the Human Rights Commission to ensure consistent goals and practices.
- (b) The commissioners shall be selected and appointed from a list developed by the mayor through an application process which shall include public notice as provided in section 7-6 of the Charter. Said list shall be updated as vacancies on the commission occur. All such appointments by the mayor shall be confirmed by the city council pursuant to section 2-10(a) of the Charter.
- (c) The commissioners shall serve a term of three years; provided, however, that of the members first appointed to the commission, two shall be appointed to a term of one year, two shall be appointed to a term of two years, and three shall be appointed to a term of three years. Thereafter, the mayor shall appoint each successor to a term of three years. In the event of the death or resignation of any member, a successor shall be appointed to serve for the unexpired term for which the member has been appointed.
- (d) The loss of office by a commissioner due to excessive absence shall be governed by section 7-14 of the Charter.
- (e) Said commission shall follow all applicable laws including, without limitation, Section 504 of the federal Rehabilitation Act of 1973, which requires inclusion and integration of persons with disabilities in the programs, services and employment opportunities of organizations and agencies that receive federal money; Amendment Article 114 of the Massachusetts Constitution, which prohibits discrimination on the basis of disability under any service or program within the Commonwealth; and the regulations of the Architectural Access Board, which require access in newly built and renovated buildings.

Sec. 2 – 503 Election of chairperson; rules of procedure; quorum

- (a) The members of the commission shall annually elect a chairperson from among its members who shall not hold that office for more than three consecutive terms.
- (b) Subject to the approval of the mayor, the commission shall adopt rules of procedure for its administration which are consistent with the laws of the commonwealth, ordinances of the city and Robert's Rules of Order.
- (c) Four members shall constitute a quorum for the purpose of conducting business.

Sec. 2 – 504 Purposes

The purposes of the commission shall be to promote the full integration and participation of people with disabilities in the City of Gloucester's activities, services and employment opportunities or the community and to coordinate or carry out programs in coordination with programs of the Massachusetts Office of Disability. The commission shall:

- (1) Research local problems and challenges of people with disabilities.
- (2) Advise municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities.
- (3) Work closely with the ADA Coordinator, inventory all of the programs and services that are currently in place in the City for people with disabilities and promote public awareness of such services to bring about maximum participation of people with disabilities.
- (4) Recommend to the mayor and the ADA Coordinator new programs and services needed to meet the problems and challenges of people with disabilities and to ensure equal access by persons with disabilities.
- (5) Review and make recommendations to the mayor about current policies, procedures, services, activities and facilities of departments, boards and agencies of Gloucester as they affect people with disabilities.
- (6) Provide information and referrals for guidance and technical assistance in all matters pertaining to disability to individuals, public agencies, businesses and organizations in the city.

Sec. 2 – 505 Definition of person with a disability

For the purpose of this ordinance a person with a disability shall be defined as any person who (1) has a physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such impairment; or (3) is regarded as having such impairment.

Sec. 2 – 506 Powers and duties

The powers and duties of the commission shall include the following:

- (1) To ensure the equal status of persons with disabilities in the areas of education, employment, the economy, politics, housing, and health.
- (2) To acquire, analyze, use and store disability related statistics and related materials for program planning and evaluation purposes.
- (3) To keep and make public records of its meetings and actions and to publish reports and other documents.
- (4) To provide a public forum in which citizens with disabilities may identify specific barriers that may prevent them from taking full advantage of city programs, initiatives, and facilities. The commission may advise the mayor on any recommended corrective actions.
- (5) To assist in public awareness and inclusion of persons with disabilities through participation in public events, including but not limited to, City sponsored recreational, educational and development activities.
- (6) To refer complaints or grievances to the appropriate local, state or federal agency for resolution.
- (7) To receive donations in the name of the city, subject to the approval of the mayor and city council, consistent with the city's gift acceptance ordinance.
- (8) To provide the mayor, the city council and the school committee with a complete annual report of its activities and its recommendations, which shall be included in the City's Annual Report.

Sec. 2 – 507 Records

All commission records shall be public except those that are necessary to ensure privacy rights under other local, state or federal laws.

Volunteers Needed for Human Rights Commission

Mayor Sefatia Romeo Theken is seeking energetic and caring volunteers to serve on the recently reactivated seven-member Human Rights Commission. With initial appointment, two shall be appointed to a term of one year, two shall be appointed to a term of two years, and three shall be appointed to a term of three years.

This commission will advise the mayor on all matters of civil and human rights for all of our citizens. It will also support and assist all city departments, commissions and boards in their efforts to celebrate diversity, promote tolerance and inclusion, and comply with appropriate local, state and federal laws.

Letters of interest and resumes (if available) are now being accepted at the Mayor's office at City Hall, 9 Dale Avenue through May 30, 2019. Diverse candidates from all EEO protected groups are welcome to apply.



**CITY OF GLOUCESTER 2019
CITY COUNCIL ORDER**

ORDER: CC#2019-019
COUNCILLORS: Val Gilman

DATE RECEIVED BY COUNCIL: 05/14/19
REFERRED TO: O&A
FOR COUNCIL VOTE:

ORDERED that the Gloucester Code of Ordinances Chapter 2 "Administration", Division 8-Human Rights Commission voted on by the City Council on April 9, 2019 be **AMENDED** by **ADDING** as follows:

Sec. 2 – 502. - Disabilities Rights Commission Established; Terms.

- (a) There shall be a sub-commission under the Human Rights Commission known as the "Gloucester Disabilities Rights Commission," which shall consist of seven members appointed by the mayor and approved by the city council, to serve without compensation. A majority of said commission members shall consist of people with disabilities, one member may be a member of the immediate family of a person with a disability, one member shall be either an elected or appointed official of the city, and one member shall also serve as a member of the Human Rights Commission to ensure consistent goals and practices.
- (b) The commissioners shall be selected and appointed from a list developed by the mayor through an application process which shall include public notice as provided in section 7-6 of the Charter. Said list shall be updated as vacancies on the commission occur. All such appointments by the mayor shall be confirmed by the city council pursuant to section 2-10(a) of the Charter.
- (c) The commissioners shall serve a term of three years; provided, however, that of the members first appointed to the commission, two shall be appointed to a term of one year, two shall be appointed to a term of two years, and three shall be appointed to a term of three years. Thereafter, the mayor shall appoint each successor to a term of three years. In the event of the death or resignation of any member, a successor shall be appointed to serve for the unexpired term for which the member has been appointed.
- (d) The loss of office by a commissioner due to excessive absence shall be governed by section 7-14 of the Charter.
- (e) Said commission shall follow all applicable laws including, without limitation, Section 504 of the federal Rehabilitation Act of 1973, which requires inclusion and integration of persons with disabilities in the programs, services and employment opportunities of organizations and agencies that receive federal

money; Amendment Article 114 of the Massachusetts Constitution, which prohibits discrimination on the basis of disability under any service or program within the Commonwealth; and the regulations of the Architectural Access Board, which require access in newly built and renovated buildings.

Sec. 2 – 503. - Election of chairperson; rules of procedure; quorum.

- (a) The members of the commission shall annually elect a chairperson from among its members who shall not hold that office for more than three consecutive terms.
- (b) Subject to the approval of the mayor, the commission shall adopt rules of procedure for its administration which are consistent with the laws of the commonwealth, ordinances of the city and Robert's Rules of Order.
- (c) Four members shall constitute a quorum for the purpose of conducting business.

Sec. 2 – 504. - Purposes.

The purposes of the commission shall be to promote the full integration and participation of people with disabilities in the City of Gloucester's activities, services and employment opportunities or the community and to coordinate or carry out programs in coordination with programs of the Massachusetts Office of Disability. The commission shall:

- (1) Research local problems and challenges of people with disabilities.
- (2) Advise municipal officials and employees in ensuring compliance with state and federal laws and regulations that affect people with disabilities.
- (3) Work closely with the ADA Coordinator, inventory all of the programs and services that are currently in place in the City for people with disabilities and promote public awareness of such services to bring about maximum participation of people with disabilities.
- (4) Recommend to the mayor and the ADA Coordinator new programs and services needed to meet the problems and challenges of people with disabilities and to ensure equal access by persons with disabilities.
- (5) Review and make recommendations to the mayor about current policies, procedures, services, activities and facilities of departments, boards and agencies of Gloucester as they affect people with disabilities.
- (6) Provide information and referrals for guidance and technical assistance in all matters pertaining to disability to individuals, public agencies, businesses and organizations in the city.

Sec. 2 – 505. - Definition of person with a disability.

For the purpose of this ordinance a person with a disability shall be defined as any person who (1) has a Physical or mental impairment which substantially limits one or more major life activities; (2) has a record of such impairment; or (3) is regarded as having such impairment.

Sec. 2 – 506. - Powers and duties.

The powers and duties of the commission shall include the following:

- (1) To ensure the equal status of persons with disabilities in the areas of education, employment, the economy, politics, housing, and health.
- (2) To acquire, analyze, use and store disability related statistics and related materials for program planning and evaluation purposes.
- (3) To keep and make public records of its meetings and actions and to publish reports and other documents.
- (4) To provide a public forum in which citizens with disabilities may identify specific barriers that may prevent them from taking full advantage of city programs, initiatives, and facilities. The commission may advise the mayor on any recommended corrective actions.
- (5) To assist in public awareness and inclusion of persons with disabilities through participation in public events, including but not limited to, City sponsored recreational, educational and development activities.
- (6) To refer complaints or grievances to the appropriate local, state or federal agency for resolution.
- (7) To receive donations in the name of the city, subject to the approval of the mayor and city council, consistent with the city's gift acceptance ordinance.
- (8) To provide the mayor, the city council and the school committee with a complete annual report of its activities and its recommendations, which shall be included in the City's Annual Report.

Sec. 2 – 507. – Records.

All commission records shall be public except those that are necessary to ensure privacy rights under other local, state or federal laws.

ORDERED that this matter be referred to the Ordinances & Administration Standing Committee for review and Recommendation to the City Council.

Val Gilman
Ward 4 Councillor

City Hall
Nine Dale Avenue
Gloucester, MA 01930



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**CITY OF GLOUCESTER
OFFICE OF THE MAYOR**

TO: City Council
FROM: Sefatia Romeo Theken, Mayor
DATE: May 8, 2019
RE: Dogtown Preservation Commission

Thank you to the Gloucester Historical Commission's efforts regarding Dogtown's National Register nomination. Dogtown is a cherished area within Gloucester and it is clear that many agree there is a need for that area to be overseen, preserved and maintained.

Dogtown is indeed a valuable historic and environmental asset to Cape Ann. I endorse the proposed ordinance to establish a Dogtown Preservation Commission to ensure it receives the appropriate level of attention, protection, and care.

The proposed ordinance is a collaboration between my administration and Council President Paul Lundberg and Councilor Val Gilman. This Commission will ensure that all decisions are done locally and based on the values this community holds dear.

Please refer this matter to the Ordinance and Administration & Planning and Development Standing Committees for review and approval. Should you have any questions or need any additional information please let me know.

Dogtown Preservation Commission

Established; composition; appointment; membership terms.

There is hereby established a Dogtown Preservation Commission whose mission is to formulate and implement a comprehensive plan for ongoing preservation, restoration, management, educational, and stewardship of Dogtown. The Dogtown Preservation Commission shall consist of not less than seven members and may be up to nine members if deemed necessary by the Commission, to include a member of the City Council appointed by the Council President; Conservation Agent or designee; Public Works Director or designee, who shall serve so long as they hold the aforementioned positions.

The remaining members shall initially be appointed by the Mayor of the City and approved by the City Council under section 2-10 of the City Charter for the terms listed below and shall be residents and voters of the city. All members shall have an interest and experience in conservation, outdoors/hiking, preservation and protection of open space. One member should have expertise in conservation restrictions and one member should also be an appointed member of the Open Space and Recreation Committee.

The members shall serve for three-year staggered terms beginning on the date of appointment and ending on February 14th as required by the City Charter.

- (1) Two members for one year
- (2) Two members for two years; and
- (3) Two members for three years.

The successors to these initial appointees shall serve for a term of three years.

The commission shall;

- Meet on a regular basis, minimally every other month, and file timely meeting minutes with the City Clerk;
- Report activities, progress achieving its mission, and areas for opportunity to the Mayor and City Council annually;

Election of Chair, Vice Chair and Secretary/Recorder, rules of procedure; quorum.

- (1) The members of the Commission shall elect annually a Chairperson, Vice Chair and Secretary/Recorder from among its members who shall not hold their respective office for more than three consecutive terms.

- (2) Depending on the size of the Commission, a quorum consists of a majority of its current membership.
- (3) The loss of office by a commission member due to excessive absenteeism shall be governed by Charter section 7-14.
- (4) Subject to the approval of the mayor, the commission shall adopt rules of procedure for its administration, which are consistent with the rules of the commonwealth, parliamentary procedure, and ordinances of the city.

Vacancies.

In case of resignation, death or disqualification of any member of the commission, or for the purpose of filling a vacancy for any other reason, the appointment of a new member to fill the unexpired term of such previous member immediately shall be made by the Mayor and forwarded to the City Council for its approval.

Assistance of city officials, board and employees.

The commission shall receive regular support and assistance from the Department of Public Works and Conservation Commission/agent. When required, the commission shall receive support from the Police and Fire Department, as well as the Community Development Department.

Purpose.

This commission, in an advisory capacity, will assist the City in developing and maintaining its management plans for Dogtown. The responsibilities include but are not limited to:

1. Defining, inventorying and mapping the boundaries of Dogtown Commons and Greater Dogtown including the status of all parcels, deeds, grant commitments, and jurisdictions.
2. Recommending land parcels warranting conservation restrictions to the City Administration in order to preserve and protect Dogtown.
3. Exploring conservation partnerships with established conservation organizations such as Essex County Greenbelt, New England Forestry, MA Audubon and Trustees of the Reservations, including trail management and other public access programs.
4. Reviewing, evaluating and incorporating past and present data and reports for Dogtown, including the PAL Archeological, Cultural and Historic Reconnaissance Survey of 2018, the Management Plan of 1985, North Gloucester Woods Survey of 2012, and historical

and archeological studies and findings, in order to develop, a comprehensive management plan that fulfills the mission.

5. Disseminating information to the public about educational and recreational opportunities in Dogtown. Updating Dogtown trail maps and making sure the kiosk area is fully supplied.
6. Coordinating maintenance, security, and safety activities. Activities may include and not be limited to maintaining fire roads, trails, trail signage, reporting of illegal activities including use of motorized vehicles within the Dogtown boundaries.
7. Applying for available and appropriate grants through the Mayor's office, with the approval of City Council that support conservation, preservation, restoration, and educational projects in Dogtown for the use and enjoyment of current and future generations.
8. Partnering with community 501C3's and organizations, including community historians and naturalists to help organize educational hikes and speaker series and other cultural and educational activities to share our natural and historical heritage with our youth and the greater community.
9. Recommending action plans on ways to protect and preserve Dogtown via development of city ordinances in collaboration with the City Council

Authorities and responsibilities:

Shall act as an advisory commission to the Mayor, City Council, municipal boards and the general public on matters concerning Dogtown. They shall have no budgetary powers but may submit grants to the Mayor for consideration and City Council approval.

All donations whether in kind or financial, must be approved by City Administration and City Council as required by Ordinance.

A majority of appointed members serving on the committee shall constitute a quorum and no meeting shall be continued without a quorum being present, unless a subcommittee has been established.

The committee may create ad-hoc committees and subcommittees to fulfill its mission.



**CITY OF GLOUCESTER 2019
CITY COUNCIL ORDER**

ORDER: CC#2019-020
COUNCILLORS: Val Gilman & Paul Lundberg

DATE RECEIVED BY COUNCIL: 05/14/19
REFERRED TO: O&A & P&D
FOR COUNCIL VOTE:

ORDERED that the Gloucester Code of Ordinances Chapter 2 "Administration" Article V "Boards, Commissions, Councils & Committees" be **AMENDED** by **ADDING** a new Division 18 entitled "Dogtown Preservation Commission" as follows:

Division 18. - Dogtown Preservation Commission.

Sec. 2-559.4. - Established; composition; appointment; membership terms.

There is hereby established a Dogtown Preservation Commission whose mission is to formulate and implement a comprehensive plan for ongoing preservation, restoration, management, educational, and stewardship of Dogtown. The Dogtown Preservation Commission shall consist of not less than seven members and may be up to nine members if deemed necessary by the Commission, to include a member of the City Council appointed by the Council President; Conservation Agent or designee; Public Works Director or designee, who shall serve so long as they hold the aforementioned positions. The remaining members shall initially be appointed by the Mayor of the City and approved by the City Council under section 2-10 of the City Charter for the terms listed below and shall be residents and voters of the city. All members shall have an interest and experience in conservation, outdoors/hiking, preservation and protection of open space. One member should have expertise in conservation restrictions and one member should also be an appointed member of the Open Space and Recreation Committee.

The members shall serve for three-year staggered terms beginning on the date of appointment and ending on February 14th as required by the City Charter.

- (1) Two members for one year
- (2) Two members for two years; and
- (3) Two members for three years.

The successors to these initial appointees shall serve for a term of three years.
The commission shall;

- Meet on a regular basis, minimally every other month, and file timely meeting minutes with the City Clerk;

- Report activities, progress achieving its mission, and areas for opportunity to the Mayor and City Council annually;

Sec. 2-559.5. - Election of Chair, Vice Chair and Secretary/Recorder, rules of procedure; quorum.

- (1) The members of the Commission shall elect annually a Chairperson, Vice Chair and Secretary/Recorder from among its members who shall not hold their respective office for more than three consecutive terms.
- (2) Depending on the size of the Commission, a quorum consists of a majority of its current membership.
- (3) The loss of office by a commission member due to excessive absenteeism shall be governed by Charter section 7-14.
- (4) Subject to the approval of the mayor, the commission shall adopt rules of procedure for its administration, which are consistent with the rules of the commonwealth, parliamentary procedure, and ordinances of the city.

Sec. 2-559-6. - Vacancies.

In case of resignation, death or disqualification of any member of the commission, or for the purpose of filling a vacancy for any other reason, the appointment of a new member to fill the unexpired term of such previous member immediately shall be made by the Mayor and forwarded to the City Council for its approval.

Sec. 2-559-7. - Assistance of city officials, board and employees.

The commission shall receive regular support and assistance from the Department of Public Works and Conservation Commission/agent. When required, the commission shall receive support from the Police and Fire Department, as well as the Community Development Department.

Sec. 2-559-8. - Purpose.

This commission, in an advisory capacity, will assist the City in developing and maintaining its management plans for Dogtown. The responsibilities include but are not limited to:

1. Defining, inventorying and mapping the boundaries of Dogtown Commons and Greater Dogtown including the status of all parcels, deeds, grant commitments, and jurisdictions.
2. Recommending land parcels warranting conservation restrictions to the City Administration in order to preserve and protect Dogtown.
3. Exploring conservation partnerships with established conservation organizations such as Essex County Greenbelt, New England Forestry, MA Audubon and Trustees of the Reservations, including trail management and other public access programs.
4. Reviewing, evaluating and incorporating past and present data and reports for Dogtown, including the PAL Archeological, Cultural and Historic Reconnaissance Survey of 2018, the Management Plan of 1985, North Gloucester Woods Survey of 2012, and historical and archeological studies and findings, in order to develop, a comprehensive management plan that fulfills the mission.
5. Disseminating information to the public about educational and recreational opportunities in Dogtown. Updating Dogtown trail maps and making sure the kiosk area is fully supplied.

6. Coordinating maintenance, security, and safety activities. Activities may include and not be limited to maintaining fire roads, trails, trail signage, reporting of illegal activities including use of motorized vehicles within the Dogtown boundaries.
7. Applying for available and appropriate grants through the Mayor's office, with the approval of City Council that support conservation, preservation, restoration, and educational projects in Dogtown for the use and enjoyment of current and future generations.
8. Partnering with community 501C3's and organizations, including community historians and naturalists to help organize educational hikes and speaker series and other cultural and educational activities to share our natural and historical heritage with our youth and the greater community.
9. Recommending action plans on ways to protect and preserve Dogtown via development of city ordinances in collaboration with the City Council.

Sec. 2-559.9. - Authorities and responsibilities.

Shall act as an advisory commission to the Mayor, City Council, municipal boards and the general public on matters concerning Dogtown. They shall have no budgetary powers but may submit grants to the Mayor for consideration and City Council approval.

All donations whether in kind or financial, must be approved by City Administration and City Council as required by Ordinance.

A majority of appointed members serving on the committee shall constitute a quorum and no meeting shall be continued without a quorum being present, unless a subcommittee has been established.

The committee may create ad-hoc committees and subcommittees to fulfill its mission.

ORDERED that this matter be referred to the Ordinances & Administration Standing Committee for review and recommendation to the City Council.

Val Gilman
Ward 4 Councillor

Paul Lundberg
Councillor at Large



**CITY OF GLOUCESTER 2019
CITY COUNCIL ORDER**

ORDER: CC#2019-021
COUNCILLORS: Scott Memhard

DATE RECEIVED BY COUNCIL: 05/14/19
REFERRED TO: O&A & TC
FOR COUNCIL VOTE:

ORDERED that the Gloucester Code of Ordinances Chapter 22, Sec. 22-292 "Fire Lanes" be **AMENDED** as follows:

DELETING Horton Street, both sides from Lot #21 in a southwesterly direction to the dead end gate at the entrance to Rule Industries; and

ADDING Horton Street, both sides from its intersection with Clarendon Street in a southerly direction to the dead end gate; and further

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

Scott Memhard
Ward 1 Councillor



**CITY OF GLOUCESTER 2019
CITY COUNCIL ORDER**

ORDER: CC#2019-009
COUNCILLORS: Ken Hecht

DATE RECEIVED BY COUNCIL: 3/12/2019
REFERRED TO: O&A, BOH,
Clean City Commission
FOR COUNCIL VOTE:

SINGLE USE PLASTIC STRAW, STIR STICK & HOTSTOPPER BAN ORDINANCE

A new ordinance for the City of Gloucester prohibiting the use and distribution of disposable plastic straws, stir sticks and hotstoppers in food service establishments and requiring the use and distribution of compostable or reusable products or materials in their place.

ORDERED that the Gloucester Code of Ordinances be AMENDED to regulate the use of single-use plastic straws, single use plastic stir sticks, and single use hotstoppers within the town, and to promote the use of reusable or biodegradable options.

Chapter 9.-Trash, Recycling and Litter by ADDING ARTICLE III – “Prohibition on SINGLE USE PLASTIC STRAW, STIR STICK & HOTSTOPPER

Sec. 9-22.- Definitions

The following words, terms and phrases shall, when used in this article, have the following meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Plastic Straw means any straw made of polypropylene, polyethylene, or polystyrene provided by a retail establishment to a customer.

Plastic Stir Stick means any stir stick, hollow or otherwise, made from polypropylene, polyethylene, or polystyrene used to stir beverages.

Hotstopper means any device also known by the name “splash-stick” which is used to block the hole in coffee lids, intended for single use, and made from plastic materials including but not limited to those made from polypropylene, polyethylene, or polystyrene.

Biodegradable means any materials that will completely degrade and return to nature, i.e., decompose into elements found in nature within a reasonably short period of time after customary disposal.

ASTM D6400 means the American Society for Testing and Materials (ASTM) International “Standard Specification for Compostable Plastics.”

Compostable means a stirrer, straw, and hotstopper designated as compostable as it meets the ASTM D6400 Standard.

Customer means any person purchasing goods from a retail establishment.

Person means any natural person, firm, corporation, partnership, or other organization or group however organized.

Recyclable means any material that can be sorted, cleansed, and reconstituted using available recycling collection programs in the City of Gloucester for the purpose of using the altered form

in the manufacture of a new product. "Recycling" does not include burning, incinerating, converting, or otherwise thermally destroying solid waste.

Food & Retail establishment means any operation that stores, prepares, packages, serves, vends, or otherwise provides food for human consumption. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. seq., shall be considered a "Food Establishment" for purposes of this ordinance.

Beverage Provider means any business, organization, entity, group, or individual located in the City of Gloucester that offers liquid, slurry, frozen, semi-frozen, or other forms of beverages to the public for consumption.

Director means the Director of the Public Health Department or his/her designee.

Department means the City of Gloucester's Public Health Department.

Sec. 9.23.- Regulations, Recommendations, Exemptions, and Prohibitions.

(a) No food establishment, retail establishment, or beverage provider in the City of Gloucester shall provide single-use, non-biodegradable plastic straws, stir sticks or hotstoppers to customers.

(b) If a retail establishment provides straws, stir sticks or hotstoppers, they must be one of the following:

- i. Compostable and made from compostable materials (meeting the specifications of ASTM D6400 or equivalent standard, as defined herein) including but not limited to paper, wooden, bamboo, straw, etc.
- ii. Reusable and made from reusable materials including glass, stainless steel, bamboo, ceramic, etc.

(c) Nothing in this chapter prohibits customers from using straws or stir sticks of any type that they bring to the retail establishment themselves in lieu of using straws, stir sticks, or hotstoppers provided by the retail establishment.

(d) Nothing in this section precludes food establishments, retail establishments, or beverage providers from using or making non-plastic alternatives, such as those made from paper, Compostable Plastic, sugar cane, or bamboo, available to customers.

(e) A retail establishment may provide or sell reusable straws, stir sticks, or hotstoppers to its customers or to any person.

(f) A reusable straw, stir stick, or hotstopper must be constructed out of stainless steel or other material deemed reusable and not single-use.

(g) In the case of handicapped persons who require plastics straws in order to ingest liquids, establishments may provide plastics straws upon request. Hospitals, nursing homes, and other establishments predominantly serving the elderly, infirmed or handicapped individuals are exempt from this ordinance.

Sec. 9-24.- Enforcement; Violations and Penalties.

(a) If it is determined that a violation has occurred the Director shall issue a warning notice to the Food and Retail Establishment or Beverage Provider for the initial violation.

(b) If an additional violation of this by-law has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the retail establishment.

(c) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:

- i. Warning for the first offense
- ii. \$100 for the second offense.
- iii. \$200 for the third offense and each subsequent offense.

(d) No more than one (1) penalty shall be imposed upon a Retail Establishment within a five (5) calendar day period.

(e) A Retail Establishment shall have fifteen (15) calendar days after the date that a notice of violation is issued to pay the penalty or the total amount of the penalty payable shall be doubled. All fines shall be payable to the City of Gloucester.

Sec. 9-25. Severability; Effective Date.

(a) Each section of this chapter shall be construed as separate to the end that if any section, sentence, clause or phrase thereof shall be held invalid for any reason, the remainder of that chapter and all other chapters shall continue in full force.

(b) This chapter shall take effect as of January 1, 2020

FURTHER ORDERED that this matter be referred to the Ordinances & Administration Standing Committee, the Board of Health and the Clean City Commission for review and recommendation to the City Council.

Councillor Ken Hecht
Ward 2 Councillor