

**Ordinances & Administration Committee**  
Monday, October 31, 2016 – 5:00 p.m.  
**1<sup>st</sup> 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 Gilman (entered the meeting at 5:04 p.m.); Joanne Senos; Harbormaster T.J. Ciarametaro

**The meeting was called to order at 5:00 p.m.**

**1. Memorandum from Harbormaster re: request for an ordinance regarding maritime details being conducted appropriately within the city including pay**

**Harbormaster T.J. Ciarametaro** reviewed with the Committee his proposal to allow his office to conduct patrol details under a new GCO section, 10-87 Harbormaster Patrol Details. Noting he had been approached several times this past summer for maritime details for movie details and marine permits he was unable to respond as there is nothing in the ordinance to allow for such details and to charge for the Harbormaster’s Department assets and personnel utilized. Noting he had worked with a gentleman involved in arranging such services for movies made in the state, that every time a movie films on the water it is required to have a marine detail, as well as television shows, such as Wicked Tuna. It is usual, he recounted that the city or town is offered the marine detail first, and if unable or unwilling to take that detail on, the detail then is offered to the state to the Environmental Police or the State Police.

**Harbormaster Ciarametaro** informed the Committee that he has contacted other port communities where he has worked that required a marine detail: Boston, Plymouth, Salisbury, Woods Hole, and Duxbury as to rates that they charge for such marine detail services and assured the Councilors that all those communities have ordinances in place and the proposed fees in the ordinance amendment before the Committee mirror that which those communities charge for personnel and assets, including the Police Departments that do this sort of detail. He advised the impetus for this proposal is that there is the MBTA railroad bridge work on the Annisquam River is coming up which will require marine details, and after speaking with the Acting Police Chief, he was told that the Police Department doesn’t have the assets and personnel available to the extent they will be needed, with enforcement secondary. That bridge work requires marine safety details, and he said he wanted to be able to provide that service and create an income stream for the city to begin to have a good way for his department to fund many departmental expenses moving forward. If a new pier is going in there may be a requirement for a marine safety asset to be present, he mentioned. If a second operator or asset is necessary, he conveyed it would be at his discretion to see that operator and/or asset is added. He then briefly reviewed that:

- (a) The Harbormaster shall have the authority to conduct details for marine events such as but not limited to, bridge construction, movie or commercial work, construction of waterfront property, and marine permitted events requiring a safety/security boat.
- (b) The Harbormaster shall charge a fee of \$65.00 per hour for the use of a vessel and one operator. In the event that two operators are required, an additional fee of \$25.00 per hour will be charged to the permittee.
- (c) Hourly rates are as follows: 1-4 hours a flat fee of \$260.00; 4-8 hours \$520.00; 8-12 hours \$780.00.

**Councilor Nolan** mentioned that during the A. Piatt Andrew Bridge work there was a safety boat stationed in the Annisquam River. He asked if some of this work may be rotated out to the Police Department if their personnel and asset is available. **Harbormaster Ciarametaro** advised that the bridge work is seven days a week and would rotate out, and a lot got passed over to Mass. Environmental Police last year as well as the Police Department and discussed that for those two entities funding issues and ability to provide an asset at all times briefly versus what the Gloucester Harbormaster’s office has available and why the Harbormaster’s Department is uniquely positioned to take these marine details on.

**Councilor LeBlanc** said as the Councilor who sits on the Waterways Board, he assured that all funds get used. He said he would support this amendment to the Code of Ordinances as it’s something that should have been done some time ago.

**Councilor O’Hara** said some entity will end up getting this money and there was no reason why it shouldn’t be the city. He asked if a state contract stipulates the fees (paid). The **Harbormaster** said it is generally “prevailing wage.” He explained that his research showed that there is no prevailing wage sheet for such details, but it is a

maritime detail, and Boston has a price of \$65, noting that Boston has a different system due to it being the police union. He said his structure as outlined before the Councilors is what is done through many Massachusetts waterfront communities, between \$60 and \$70 per hour and details are broken up 1-4 hours; 4-8 hours; and 8-12 hours.

**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 Amend GCO Chapter 10 by ADDING a new section, “10-87 Harbormaster Patrol Details” as follows:**

**“10-87. Harbormaster Patrol Details**

- (a) **The Harbormaster shall have the authority to conduct details for marine events such as but not limited to, bridge construction, movie or commercial work, construction of waterfront property, and marine permitted events requiring a safety/security boat.**
- (b) **The Harbormaster shall charge a fee of \$65.00 per hour for the use of a vessel and one operator. In the event that two operators are required, an additional fee of \$25.00 per hour will be charged to the permittee.**
- (c) **Hourly rates are as follows: 1-4 hours a flat fee of \$260.00; 4-8 hours \$520.00; 8-12 hours \$780.00.**

This matter will be advertised for public hearing.

At the request of the Council President, **Councilor LeBlanc** moved, **Councilor Nolan**, seconded that the matter of the memorandum from Harbormaster re: request for an ordinance regarding maritime details being conducted appropriately within the city including pay be referred to the Budget & Finance Committee. **By a vote of 3 in favor, 0 opposed, the O&A Committee referred that matter to the B&F Committee.**

**2. CC2016-037 (LeBlanc) Request Traffic Commission conduct traffic & speed study of Beach Court & make written recommendation as to whether to amend GCO for safe traffic flow patterns & parking (Cont’d from 10/17/16)**

**Councilor LeBlanc** reported that there were some speeding vehicles reported by constituents on Beach Court, and as a result he had asked that a traffic study be conducted by the Traffic Commission. He conveyed that the Commission’s traffic study found that of the 1,568 vehicles that passed by over seven days’ time, the average speed for all vehicles was 11 mph. Therefore, the Traffic Commission voted to make no recommendation as there wasn’t any action necessary to be taken, he said.

**COMMITTEE RECOMMENDATION: 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 permit the withdrawal of CC2016-037 (LeBlanc) Request Traffic Commission conduct traffic & speed study of Beach Court & make written recommendation as to whether to amend GCO for safe traffic flow patterns & parking without prejudice.**

**3. CC2016-044 (Gilman) Request to amend GCO Sec. 22-284 “Service or loading zones” re: Holly Street (Cont’d from 10/17/16)**

**Councilor Gilman** explained that this proposal to amend the Code of Ordinances is the remaining traffic adjustment to the Willow Rest intersection of Washington and Holly Streets. She conveyed that the Traffic Commission has recommended her Council Order as written to have a safe loading area in front of the Willow Rest, 40 feet long, almost as long as the building itself. This order moves the loading zone directly in front of the Willow Rest building and was deemed safer by the Commission for trucks unloading. When trucks aren’t delivering, the space will remain empty and will prevent double parking in front of the building which completely blocks Holly Street, and will also give pedestrians a clear line of vision. She lauded the work of the DPW with the line painting in that area to date.

**Councilor LeBlanc** said the Traffic Commission voted unanimously to approve the Council Order and wanted signage to be posted to read that the loading zone hours are from 6:00 a.m. to 6:00 p.m. and after 6:00 p.m. he pointed out that any vehicle could park in the loading zone. The landlord and the owners of the Willow Rest

business are on board as are neighbors both he and Councilor Gilman mentioned. **Councilor LeBlanc** commended Councilor Gilman for all her effort expended on behalf of this neighborhood to create a safer traffic environment, and added his support of the amendment.

**Councilor Nolan** mentioned he had attended some of the neighborhood meetings where the Willow Rest issues were aired, and expressed his agreement that all the recent changes are a great improvement.

**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 Amend GCO Sec. 22-284 “Service or Loading Zone” by ADDING “Holly Street, easterly side from its intersection with Washington Street, beginning at a distance of 60 feet in a northerly direction for a distance of 40 feet.”**

This matter will be advertised for public hearing.

**4. CC2016-045 (Cox) Amend GCO Sec. 22-269 “Stop intersections” & Sec. 22-267 “One-way streets-Generally” re: Center Street (Cont’d from 10/17/16)**

**Clerk of Committees**, Dana Jorgensson, at the request of Councilor Cox who was unable to attend tonight’s meeting, explained that the Traffic Commission and the Committee was in receipt of an email from Fire Chief Eric Smith (on file) expressing his strong opposition to making Center Street one way as the Fire Department uses this street both to access the lower end of Main Street as well as returning to the fire station, and so did not recommend this change to the ordinance. She indicated that Councilor Cox will speak to the Police Department about better enforcement of the current no parking ordinances in place for Center Street, and asked that her Council Order be withdrawn.

**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 CC2016-045 (Cox) Amend GCO Sec. 22-269 “Stop intersections” & Sec. 22-267 “One-way streets-Generally” re: Center Street without prejudice.**

**5. CC2016-046 (LeBlanc) Amend GCO Chapter 2, Article V “Boards, Commissions, Councils and Committees” by ADDING new subsection “Division 17. The Animal Advisory Committee” (Cont’d from 10/17/16)**

**Councilor LeBlanc** explained that at the last meeting the Committee discussed what they believed should be the structure of an Animal Advisory Committee -- representatives from each ward should be on the Committee, several at large members, a Council representative, as well as the Board of Health and Police Department. He conveyed this will be a Committee created by ordinance, and pointed out that there are a lot of animals that need attention in the city -- not just domesticated but wild. There are a lot of ordinances for animals that haven’t been reviewed in some time, and this will be a good committee to start such a review, he suggested. He said this is a win/win situation which will stop the need for constant ad hoc committees on related subjects as the committee will be in place with access to department heads that can do research and report findings to O&A if so requested.

**Councilor Gilman** commented this ordinance amendment sounded like a good direction to take moving forward.

**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 Amend GCO Chapter 2, Article V “Boards, Commissions, Councils and Committees” by ADDING new subsection “Division 17. The Animal Advisory Committee” as follows:**

**Section 2-560. Animal Advisory Committee – Purpose.**

- (a) **In recognition of the continuing need for policy and oversight for the health and welfare of all animals and the associated health and welfare of citizens associated with animals within the borders of the city of Gloucester be they domestic or wild, the Animal Advisory Committee is hereby established.**

- (b) **At the first of each calendar year the Committee shall elect from among its members a Chair, Vice-Chair and Secretary.**
- (c) **The committee shall undertake but not be limited to the following activities:**
- (1) **Research, recommend and advise at the request of various departments and agencies of the city of Gloucester on matters pertaining to domestic and wild animals within the borders of the city; and to**
  - (2) **Review and recommend changes to city policies and ordinances that affect all animals.**

**Section 2-561. Composition; requirements; tenure.**

**The Animal Advisory Committee shall consist of up to seven members comprised of a resident representative from each of the city's five wards, and two resident members who shall be at-large members. These members shall be appointed by the Mayor and approved by the Council under the City Charter to a term of up to three years. Ex-officio non-voting members shall be one City Councilor appointed by the Council President; the Police Chief or his designee and the Public Health Director or his designee.**

This matter will be advertised for public hearing.

**6. CC2016-047 (LeBlanc) Amend GCO Sec. 22-265 "Turning movements-Generally" re: intersection of Western Ave. & Washington St. and Angle St. & Washington St.**

**Councilor LeBlanc** reviewed that at the Oct. 27, the Traffic Commission by consensus of its members would not recommend the Council Order. He said he spoke to the Commission, the Commission heard from members of the community. He said that the Commission decided, and he added his agreement, that with all the traffic going into that intersection (known as Tally's Corner) it didn't make sense for vehicles to go down and around the two small traffic islands and back to up to Washington Street. He pointed out it would be more dangerous for vehicles to make a U-turn rather than make a left turn on to Washington Street. He noted that the current traffic patterns act as a release valve in that if travelling from Western Avenue to the intersection and also down Angle Street to the intersection, if the traffic is backed up, vehicles can then choose to travel up Washington Street. He wouldn't support the ordinance amendment and agreed with the Traffic Commission's assessment. He also advised that the Mayor has indicated that she would ask the state to conduct a study on the traffic patterns for the Tally's Corner intersection.

**Councilor O'Hara** offered his support to Councilor LeBlanc's request to vote down the traffic ordinance amendments.

**Councilor Nolan** said it is Councilor LeBlanc's ward, the Traffic Commission weighed in, and he expressed his support of Councilor LeBlanc's stance against any further Council action related to CC2016-047,

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 0 in favor, 3 opposed, to recommend that the City Council Amend GCO Sec. 22-265 "Turning movements-Generally" by ADDING: "Western Avenue at its intersection with Washington Street, left-hand turn prohibited."**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 0 in favor, 3 opposed, to recommend that the City Council Amend GCO Sec. 22-265 "Turning movements-Generally" by ADDING: "Angle Street at its intersection with Washington Street, left-hand turn prohibited."**

This matter is now closed and will be reported as such under the O&A Committee Report at the Nov. 7 City Council meeting.

**7. CC2016-048 (Orlando) Amend GCO Sec. 4-16 (d) "Off-leash dog areas" subsection (b)(2) by adding a new subsection "(m) Dog Park "pooch pass" certificate for non-residents & amend Sec. 1-15 "Penalty for violation of certain specified section of code"**

**Councilor LeBlanc** advised that this matter will be continued to the O&A Committee's Nov. 14 meeting at the request of Councilor Orlando who was unable to attend this meeting.

This matter is continued to November 14, 2016.

8. *Ad Hoc Dog Committee Presentation of Report (TBC 12/05/2016)*
9. *CC2016-049 (Gilman) Amend GCO Sec. 22-269 "Same-From May 1 to September 15" and Sec. 22-267 "Restrictions on direction driven-Annually" re: Arlington Street (TBC 11/14/16)*

A motion was made, seconded and voted unanimously to adjourn the meeting at 5:30 p.m.

Respectfully submitted,

*Dana C. Jorgenson*  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.**