

**Ordinances & Administration Committee**

Wednesday, January 14, 2019 – 6:00 p.m.

**Kyrouz Auditorium - City Hall**

-Minutes-

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

**Also Present:** Mayor Sefatia Theken; Councilor Valerie Gilman; Councilor Melissa Cox; Councilor Jen Holmgren (entered the meeting at 6:14 p.m. and left the meeting at 6:39 p.m.); Joanne M. Senos; Jim Destino; Chip Payson; Donna Leete; William Sanborn; James Pope; Michael Hale; Nancy Papows; Vanessa Krawczyk

**The meeting was called to order at 6:03 p.m. There was a quorum of the City Council. Some reappointments of Boards, Committees and Commissions were taken out of order.**

**1. Management Reappointments:**

**Mayor Sefatia Theken** extended her thanks to the City Council for passing an amendment to the Personnel Ordinance that streamlined the city’s management reappointment process. She expressed her pride and confidence in her managerial staff and what they’re accomplishing together for the city’s benefit. She spoke briefly to changes with some Boards, Committees and Commissions, and highlighted the volunteer service to the city by Anthony Bertolino and Robert Ryan of the Traffic Commission who have each served the city for over 35 years. She lauded all the city’s dedicated volunteers who continue to actively serve their community.

**Councilor LeBlanc** expressed the appreciation of the Ordinances & Administration Committee not only for the work of the city’s managerial staff but of all the city’s volunteers who serve on the many Boards, Committees and Commissions. He noted that the two year terms the ordinance amendment established for managers offers more consistency and stability.

General Counsel

Charles Payson

TTE 02/14/21

**Councilor LeBlanc** expressed his appreciation for the thorough work of Mr. Payson and his assistance to the Council and the Administration.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Charles Payson as General Counsel, TTE 02/14/21.**

Human Resources Director

Donna Leete

TTE 02/14/21

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Donna Leete as Human Resources Director, TTE 02/14/21.**

Inspector of Buildings

William Sanborn

TTE 02/14/21

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint William Sanborn as Inspector of Buildings, TTE 02/14/21.**

Information Services Director

James Pope

TTE 02/14/21

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint James Pope as Information Services Director, TTE 02/14/21.**

Public Works Director

Michael Hale

TTE 02/14/21

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Michael Hale as Public Works Director, TTE 02/14/21.**

Director of Veteran Services Adam Curcuru TTE 02/14/21

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Adam Curcuru as Director of Veteran Services, TTE 02/14/21.**

Principal Assessor Nancy Papows TTE 02/14/22

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor , the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Nancy Papows as Principal Assessor, TTE 02/14/22.**

Harbormaster Thomas Ciarametaro TTE 02/14/22

The Harbormaster's reappointment was continued to January 28, 2019 when he will be available to appear as he was out of the city.

**Councilor LeBlanc** noted the necessary day-to-day interaction with department managers by City Councilors, expressing his appreciation for their honesty and willingness to work together and making it easier for Councilors to be able to respond to their constituency in a prompt and efficient manner.

**Councilor Nolan** advised that over the last three years he's worked with the managers just voted for reappointment, and expressed his appreciation for their responsiveness. He highlighted that it is a great team with whom they can continue to work with to move the city forward.

**Councilor O'Hara** expressed his thanks for the energy and efforts put forth by the managers to respond to their constituents' issues and his appreciation for their service.

## **2. New Appointments to Boards, Committees & Commissions**

**Joanne M. Senos**, City Clerk, reminded all appointees and reappointees to ensure they are sworn in at the City Clerk's office prior to the City Council meeting on Tuesday, January 22 so that they may be confirmed/reconfirmed. **Councilor LeBlanc** added a reminder that all appointees and reappointees need to make sure that their Conflict of Interest Law Certificates are current and on file with the City Clerk's office.

Capital Improvement Advisory Board Joseph Orlando, Jr.; Howard "Ted" Costa\* TTE 02/14/22

**Former City Councilor Joseph Orlando** advised that as a member of the CIAB he looked forward to assisting the community by creating a capital plan for the improvements and/or replacements of the city's capital assets for the next five, ten and 25 years. He added that these capital plans can be used to assist and serve the community.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Joseph Orlando, Jr. to the Capital Improvement Advisory Board, TTE 02/14/22.**

\* Mr. Costa's appointment was continued at his request to March 4, 2019.

Gloucester Cultural Council Amanda Nash TTE 02/14/22

**Ms. Nash**, at the Committee's request, briefly touched on the recent work of the Gloucester Cultural Council.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council appoint Amanda Nash to the Gloucester Cultural Council, TTE 02/14/22.**

Shellfish Advisory Commission

Michael Orlando  
Andrew Gossom

TTE 02/14/21  
TTE 02/14/22

**Councilor LeBlanc**, noting that Mr. Orlando had recently been before the O&A Committee as an appointee to the Fisheries Commission, with the assent of Councilors Nolan and O'Hara, the Committee agreed to put Mr. Orlando's name forward in his absence.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council appoint Michael Orlando to the Shellfish Advisory Commission, TTE 02/14/21.**

**Mr. Gossom**, responding to Councilor questions, noted he's attended one Commission meeting. He expressed his desire to help the city's shellfish industry to the best of his ability. **Councilor LeBlanc** noted Mr. Gossom, a commercial lobsterman and clammer, came highly recommended through the Waterways Board Chair, Tony Gross.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Andrew Gossom to the Shellfish Advisory Commission, TTE 02/14/22.**

### **3. Reappointments to Boards, Committees & Commissions**

Affordable Housing Trust

Ruth Pino, Michael Luster, Rick Doucette

TTE 02/14/21

**Ms. Pino** advised the Affordable Housing Trust is quiet right now as they've not had any requests for funding, noting there's been no infusion of new funds lately of late, that being payment in lieu of building affordable housing units in various residential projects.

**Councilors LeBlanc** and **Nolan** offered their thanks to the three reappointees for their continued work on the Affordable Housing Trust.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Ruth Pino to the Affordable Housing Trust, TTE 02/14/21.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Michael Luster to the Affordable Housing Trust, TTE 02/14/21.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Rick Doucette to the Affordable Housing Trust, TTE 02/14/21.**

Board of Commissioners of Trust Funds

Rick Ciolino, Barry Weiner

TTE 02/14/22

**Mr. Weiner** noted that the city's website doesn't have much information on the city's Trust Funds, and that the Commissioners will work to update it to let residents know they can establish Trust Funds that can benefit the city. He added that working with General Counsel they're looking at the restrictions on some Trust Funds in order to loosen those restrictions so as to make more monies available. **Councilor O'Hara** thanked Mr. Weiner, as well as all city volunteers for their spirit of volunteerism.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Rick Ciolino to the Board of Commissioners of Trust Funds, TTE 02/14/22.**

Although Mr. Ciolino was not present, the Committee assented to put forward his reappointment.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Barry Weiner to the Board of Commissioners of Trust Funds, TTE 02/14/22.**

Board of Health

Joseph Rosa

TTE 02/14/22

The Committee thanked Mr. Rosa for his years of service to the city. **Mr. Rosa** noted the Board is continuing its role in keeping the city safe and fully cooperating with the Council.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Joseph Rosa to the Board of Health, TTE 02/14/22.**

Board of Registrars

Judith Peterson

TTE 02/14/22

**Ms. Peterson** noted her long association with the city as a volunteer in the City Clerk's office. As long as she's able, she advised, she would be pleased to continue to offer her volunteer services and continue as a member of the Board of Registrars. The Committee thanked Ms. Peterson for her assistance, highlighting her service during election seasons.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Judith Peterson to the Board of Registrars, TTE 02/14/22.**

City Hall Restoration Commission

Maggie Rosa, Steve Dexter, David C. Bell,  
Janis Bell, Mary Rhinelander-McCarl, Richard  
Luecke, Mark Cole, William Sanborn

TTE 02/14/22

Present for reappointments were: Maggie Rosa; David C. "J.J." Bell; Janis Bell; Richard Luecke, and William Sanborn. **Ms. Rosa** noted that this 14 year Commission has worked together as a great team, the results of which are evidenced by a functional City Hall building. She reported that the City Hall restoration work continues into the next phase -- the updating of City Hall's electrical system, as well as smaller projects to improve the building. Although not all members of the Commission up for reappointment were present, the Committee agreed all the members should be put forward regardless.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Maggie Rosa to the City Hall Restoration Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Steve Dexter to the City Hall Restoration Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint David C. "J.J." Bell to the City Hall Restoration Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Janis Bell to the City Hall Restoration Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Mary Rhinelander-McCarl to the City Hall Restoration Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Richard Luecke to the City Hall Restoration Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Mark Cole to the City Hall Restoration Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint William Sanborn to the City Hall Restoration Commission, TTE 02/14/22.**

City-owned Cemeteries Advisory Commission      Sandy Barry, Patti Amaral, Beverly McKean TTE 02/14/22

**Ms. Barry** expressed the thanks of the Commission to the Council; DPW Director; Mike Hale, and Jonathan Pope, noting that Councilor Gilman participated at the recent Cove Hill Cemetery clean-up event. She noted the Commission’s work is city-wide and community focused, adding that on Sunday mornings they train volunteers which gets a lot of work done in the city cemeteries. **Ms. McKean** expressed she was pleased at how much has been accomplished just in the last few years by the Commission. **Ms. Amaral** highlighted how this Commission has grown from picking up litter to accomplishing great things highlighting the group effort.

**Councilor LeBlanc** expressed his appreciation for the work by the Commission members on behalf of the city, especially at Clark Cemetery and headstone restorations.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Sandy Barry to the City-owned Cemeteries Advisory Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Patti Amaral to the City-owned Cemeteries Advisory Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Beverly McKean to the City-owned Cemeteries Advisory Commission, TTE 02/14/22.**

Clean City Commission      Ainsley Smith      TTE 02/14/22

**Ms. Smith** noted that the Commission has been busy, and is pleased with the success of the polystyrene and single-use plastic bag ban that went into effect January 1<sup>st</sup>. She expressed appreciation for the Council’s support as well as that of the DPW to reach this goal. In turn, the Committee offered their thanks and appreciation for the enthusiasm and work by Ms. Smith. **Councilor Nolan** called Ms. Smith a “superstar”, and expressed his appreciation for the work the Commission has put in on many city issues.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Ainsley Smith to the Clean City Commission, TTE 02/14/22.**

Clean Energy Commission      Linda Brayton, John Moskal      TTE 02/14/21

**Ms. Brayton** reported that after three years of work the city’s Community Electricity Aggregation (CEA) program has been instituted of which the Commission is very proud, a program that will save residents’ money. She expressed her thanks on behalf of the Commission to the Council and Administration for their support. She added that the Commission is now looking at some strategic planning. **Councilor LeBlanc** expressed his appreciation for the work done by the Commission on the city’s CEA program agreeing that it will save many residents money on their electric bills.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Linda Brayton to the Clean Energy Commission, TTE 02/14/21.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint John Moskal to the Clean Energy Commission, TTE 02/14/21.**

Community Preservation Committee

Ellen Preston, Heidi Wakeman

TTE 02/14/22

**Ms. Preston** advised it is an honor to be on the Community Preservation Committee (CPC) to be able to make serious decisions as to how taxpayer's funds are spent for the betterment of the entire community. She mentioned one of the CPC recommended projects that the Council funded which was viewed as very successful that allows wheelchair access to the Seine Fields, a property in the trust of the Essex County Greenbelt Association. Although Ms. Wakeman was not present, the Committee assented to put forward her reappointment.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Ellen Preston to the Community Preservation Committee, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Heidi Wakeman to the Community Preservation Committee, TTE 02/14/22.**

Conservation Commission

William Cook, Ann Jo Jackson  
Helene Shaw-Kwasie (TBC 02/04/19)

TTE 02/14/22

TTE 02/14/22

**Ms. Jackson** reported the Commission has had its share of large and small projects that have come before them. At this time the Commission is working with the Administration to find a replacement for the Conservation Agent and an assistant which she termed as challenging.

**Councilor LeBlanc** offered that if there was anything the Committee can do to assist the Commission they need only to ask. Although Mr. Cook was not present, the Committee assented to put forward his reappointment.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint William Cook to the Conservation Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Ann Jo Jackson to the Conservation Commission, TTE 02/14/22.**

Council on Aging

Robert Quinn

TTE 02/14/22

**Mr. Quinn** touched briefly on the many programs at the Rose Baker Senior Center to improve the lives of the city's seniors. He reported he's worked on the project to repave the Senior Center parking lot which is in poor condition as well as a concern about the Senior Center's back door stepdown, all of which the DPW is now addressing.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Robert Quinn to the Council on Aging, TTE 02/14/22.**

Downtown Development Commission

Robert K. Whitmarsh (TBC 03/04/19)

TTE 02/14/22

Economic Development &amp; Indust. Corp. Michael DiLascio, Carl Gustin, Ruth Pino

TTE 07/01/22

The EDIC reappointments were put forward inadvertently as the terms don't expire until the end of June 2019.

Fisheries Commission

Scott O. Swicker

TTE 02/14/22

**Mr. Swicker** touched on the promotion of the Gloucester fisheries to ensure they have a "seat at the table," and is looking forward to the Seafood Expo in March. **Councilor LeBlanc** noted that the Fisheries Commission has many good people on it, acknowledging the difficulties the city's fishing industry faces.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Scott O. Swicker to the Fisheries Commission, TTE 02/14/22.**

Historical Commission

Sandy Barry (Alternate)

TTE 02/14/22

**Ms. Barry** noted that the Commission is participating in a podcast series with Studio1623 which they are very excited about it. The podcasts can be found on Studio 1623's website, she advised.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Sandy Barry to the Historical Commission, TTE 02/14/22.**

Planning Board

Douglas Cook, Shawn Henry

TTE 02/14/24

**Mr. Cook** and **Mr. Henry** advised that things are going well for the Planning Board, and is a great Board to work with. They both expressed they are honored to serve. They also expressed their appreciation for Gregg Cademartori, Planning Director, and other professional city staff for their support of the Board. They reported that the Board is working now with a consultant to look at the Zoning Ordinance to improve it, mentioning the sections that cover affordable housing.

**Councilor LeBlanc** expressed his appreciation for the work of the two gentlemen and their fellow Board members. **Councilor Nolan** advised that both gentlemen are assets to the Board. He expressed his appreciation for their approach with citizens who come before them, saying that their job is a difficult one.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Douglas Cook to the Planning Board, TTE 02/14/24.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Shawn Henry to the Planning Board, TTE 02/14/24.**

Planting Committee

Carolyn Benson, Bonnie Angus, William Taylor

TTE 02/14/22

It was noted that Carolyn Benson has declined her reappointment to the Planting Committee.

**Ms. Senos** reviewed that this Committee hasn't met for a couple of years and that Ms. Angus hasn't been sworn in since 2016 and neither has Mr. Taylor, as well as both have overdue Conflict of Interest Law certifications (expired in 2016). **Councilor LeBlanc**, at the suggestion of the City Clerk, asked that an email be sent to the Mayor to learn of the status of the Planting Committee and receive direction from the Administration.

The reappointment of Bonnie Angus and William Taylor was continued to February 4, 2019.

Shellfish Advisory Commission

Ann Jo Jackson, (ConCom Rep.), Dan Molloy  
William Nugent\*

TTE 02/14/22

**Ms. Jackson** noted that things are going well reporting that the Acting Shellfish Constable has been “instrumental” in reassembling the Commission. The Commission is working on making the shellfish packets more user friendly, she added. **Mr. Molloy** mentioned certain clam flat closures affecting commercial clammers and the result is that flats not normally clammed throughout the winter are being clammed due to repeated closures of some flats with fall and early winter heavy rains. **Ms. Jackson** expressed concern for those flats that would normally only be clammed in the summer by commercial clammers with limited flats available to them which may affect open flats’ ability to rebound.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Ann Jo Jackson (Conservation Commission Rep.) to the Shellfish Advisory Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Dan Molloy to the Shellfish Advisory Commission, TTE 02/14/22.**

\* **Mr. Nugent** submitted his resignation to the Mayor.

Stage Fort Park Advisory Committee

William Fonvielle

TTE 02/14/22

Although Former City Councilor William Fonvielle was not present, the Committee assented to put forward her reappointment.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint William Fonvielle to the Stage Fort Park Advisory Committee, TTE 02/14/22.**

Tourism Commission

Carla O’Connor\*, Doug Silva

TTE 02/14/22

**Mr. Silva** advised things are moving at “a snail’s pace” suggesting that the Commission needs to hold more meetings and gain more members. **Councilor LeBlanc** asked Mr. Silva to meet with him and the Mayor to discuss areas of concern. **Councilor Nolan** noted that Councilor Hecht had reached out to the Commission this past fall, and offered his encouragement to Mr. Silva.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Doug Silva to the Tourism Commission, TTE 02/14/22.**

\* **Ms. O’Connor** had previously resigned from the Tourism Commission.

Traffic Commission

Anthony Bertolino, Robert Ryan

TTE 02/14/22

The Committee offered their thanks to Mr. Bertolino and Mr. Ryan for the “fantastic” job that they do. **Mr. Ryan** noted the Traffic Commission is a strong group highlighting his and Mr. Bertolino’s 40 years’ of service as city volunteers, mentioning the other members of the Commission. He added his thanks to the City Clerk’s office staff and the DPW for their support. He also mentioned the Traffic Commission’s accomplishing an inventory of the city’s handicap parking spaces.

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Anthony Bertolino to the Traffic Commission, TTE 02/14/22.**

**COMMITTEE RECOMMENDATION: On a motion by Councilor O’Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council reappoint Robert Ryan to the Traffic Commission, TTE 02/14/22.**

Waterways Board

Mark Lacey (TBC 01/28/19)

TTE 02/14/22

**4. Memorandum from General Counsel re: MuniCode Ordinance Review & Recommendations for Gloucester's General Code of Ordinances - List 2 (Cont'd from 12/03/18)**

**Chip Payson**, General Counsel, recounted the following: At the December 3, 2018 O&A meeting, the Committee reviewed an extensive list of suggested Code of Ordinances amendments based on a review by Municode. The Committee didn't take a vote at that time due to three outstanding issues: 1) Chapter 11, "Hawkers, Peddlers, Transient Vendors and Special Events" -- further amendments to this chapter will come forward as a stand-alone Council Order by Councilor Cox for the Committee's consideration and is not being considered at this time. 2) A change to Chapter 8 "Fire Prevention and Protection, Sec. 8-60 to add information was suggested by Municode. This was placed on hold in order to consult with the Fire Chief. 3) It was pointed out that the statutory reference in the final item placed on hold is a change to Chapter 21 "Streets, Sidewalks and Other Public Places", Sec. 21-87 "West Gloucester Firing Range." It was advised that the statutory reference in that section is moot and it became a question of whether the city wanted to allow not only Police Department employees but members of the Armed Forces to use the West Gloucester Firing Range.

Mr. Payson reviewed that after speaking Chief Smith the suggested change to GCO Ch. 8, Sec. 8-60 has been removed since there will be no changes to that section. As to the change to Chapter 21 "Streets, Sidewalks and Other Public Places", Sec. 21-87 "West Gloucester Firing Range", he advised that Interim Police Chief McCarthy was okay with military personnel being able to use the firing range so long as they have a licensed instructor present. He noted that is the packet of Code of Ordinance amendments before the Committee for its consideration and vote.

**Councilor Nolan** addressed the West Gloucester Firing Range, saying that concern had been expressed previously about units such as the Coast Guard, different police departments and the Sheriff's Department "over using" the firing range which created an issue of noise disturbing the comfort of the neighbors with the neighbors. He asked if the Council could limit the use of the firing range to the Gloucester Police Department for training. **Mr. Payson** advised the Council was free to amend the use of the range to limit its use because of concerns by citizens saying that they can strike the language that was offered and change it as needed. **Councilor Nolan** offered that he would like to reserve the firing range to the active City of Gloucester Police Department (GPD) only which he suggested would bring the noise level down for the neighborhood by limiting the range's use. **Councilor LeBlanc** expressed his agreement with Councilor Nolan saying it is still a neighborhood, and that the range should be kept only for local people. Language will be offered by General Counsel in the context of his memo that would reflect the requested change to GCO, Chapter 21, Sec. 21-87, "Use of the range will be limited to firearms training for active and retired members of the city police department." **Councilor Nolan** expressed concern about the use of the firing range by retired GPD officers, and there was a discussion on whether the term "active" would cover those officers while retired act as "reserve" or "auxiliary" officers. **Mr. Payson** advised he would speak with Interim Chief McCarthy if "active" captures those folks (active/auxiliary) and if not, he would draft language encompass those officers whom they termed "reserve" or "auxiliary" that would be ready for the Council next week.

**COMMITTEE REPORT: 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 the Code of Ordinances as presented through a memorandum from General Counsel dated January 10, 2019, pages 1 through 18.**

This matter will be advertised for public hearing.

**5. CC2019-001 (Nolan): Amend GCO Ch. 21 "Streets, Sidewalks and Other Public Places" Article IV "Repair of Private Ways" re: Proxy Votes**

**Mr. Payson** reviewed the following: When former Council President McGeary took the first pass at amending GCO Ch. 21, Sections 80-85 the few amendments affected proxy votes. When they made sweeping changes to those same five sections under Councilor Nolan's leadership in consultation with the Administration, they removed proxy voting but it came back up once again. Councilor Nolan spoke to the Mayor's office, and it agreed to reinsert proxy votes. He recounted that the concerns about proxy voting is that the percentage of people who vote to approve has gone up largely because those people are voting to bind everybody along that abutting way. If voting to be bound, and in "conservative legal theory" everyone should be present, which is a struggle that was appreciated by both Councilors McGeary and Nolan. In drafting language, in paragraph (g) it appears onerous for a reason: 1) people are

being legally bound, and 2) the city wouldn't want any abutter to come forward to the city and say, "I didn't allow them to do this" and they didn't have the authority to do so. He highlighted that under this proposed amendment a notarized letter is now required with the name and address of the abutting owner, the name and address of the proxy, language from the abutting owner expressly granting permission to the proxy to vote on the abutting owner's behalf, a copy of the proxy's valid state or federal picture ID, the abutting owner's valid state or federal picture ID and then all that is submitted to the City Clerk 48 hours before the meeting when voting is to take place. He suggested it would help to protect the city but also try to impress upon people the importance of what this vote constitutes because there is a financial ramification to it.

**Councilor Nolan** explained that there was a concern for folks such as older residents who couldn't be present that are wintering in Florida, or those folks who couldn't make day meetings or early evening meetings due to work commitments. This proposed amendment simplifies things; although at a glance it seems more complicated, reviewing the process as outlined by Mr. Payson. He added that the way in which Mr. Payson has drafted this amendment will make the process easier; it is clear and open as to the intent. He offered his thanks to Mr. Payson.

**Councilor LeBlanc** noted this ordinance may be tweaked again, but that this is a good amendment.

**COMMITTEE REPORT:** On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Ch. 21 "Streets, Sidewalks and Other Public Places", Article IV "Repair of Private Ways, Sec. 21-84 "Permanent construction or repair as follows:

by **DELETING** the last sentence in subsection (f), "No proxy votes shall be allowed."

by **ADDING** a new subsection (g) as follows: "Any abutting owner may designate a proxy to represent them and cast the requisite vote(s) on matters required by this section. Such a designation shall be a notarized letter by the abutting owner that includes the following: 1) the name and address of the abutting owner, 2) the name and address of the proxy, 3) language from the abutting owner expressly granting permission to the proxy to vote on the abutting owner's behalf, 4) a copy of the proxy's valid state or federal picture identification, and 5) a copy of the abutting owner's valid state or federal picture identification and 6) the abutting owner's signature. The designation documents must be 1) delivered to the City Clerk no later than 48 hours before the date and time set for the meeting at which votes will be cast, and 2) presented at the meeting under section 21-84(e) prior to voting."

and alphabetize the remaining subsections accordingly.

This matter will be advertised for public hearing.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:20 p.m.

Respectfully submitted,

*Dana C. Jorgensson*

Clerk of Committees

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