

CITY COUNCIL STANDING COMMITTEE  
**Ordinances & Administration**  
**Monday, January 14, 2013 – 6:00 p.m.**  
**1<sup>st</sup> Fl. Council Conference Room – City Hall**  
**-Minutes-**

**Present: Chair, Councilor Sefatia Theken; Councilor Steven LeBlanc, Jr.; Greg Verga, Alternate**  
**Absent: Councilor Whyntott**  
**Also Present: Linda T. Lowe; Mike Hale; Mark Cole; Rose LoPiccolo**

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

**1. Continued Business:**

- A) Communication from Council President to City Clerk and memorandum from City Clerk re: City Clerk's Office Reorganization Request (Cont'd from 12/03/12)

**Councilor Theken** said that as Chair of O&A she would be conducting brief interviews with the City Clerk Department's staff along with Council President Hardy to discuss job descriptions. Upon completion of these interviews, she would schedule a Council workshop to discuss the City Clerk Department's reorganization plan.

**This matter is continued to: February 4, 2013.**

- B) CC2012-062 (Verga) Review of GCO Chapter 6, Sec. 6-21 through 6-24 "City-Owned Cemeteries Advisory Committee" to update and reactivate Committee (Cont'd from 12/03/12)

**Councilor Verga** discussed with the Committee, and Mark Cole, Assistant DPW Director, the merits of amending Sec. 6-21 of the Code of Ordinances, "City-Owned Cemeteries Advisory Committee," as well as reconstituting it as the committee had become defunct approximately seven years ago with attrition of its members. Councilor Verga noted the only ordinance change needed was to remove "Lincoln Street" in reference to a City cemetery and insert "Dolliver's Memorial Cemetery." As it is the only change, he suggested that it would be better to wait for the Mayor to reconstitute the City-owned Cemeteries Committee, let the new committee review the ordinance, meet with the DPW and offer any other suggestions for changes to the ordinance, rather than holding a public hearing for one small change to the ordinance section's language. **Councilors Theken** and **LeBlanc** expressed agreement. In addition, the Committee said they were in support of Councilor Verga's suggestion of forwarding a Request to the Mayor to reconstitute the City-owned Cemeteries Committee.

**A Request to the Mayor is to be forwarded asking she reconstitute the City-Owned Cemeteries Advisory Committee. No further action by the O&A Committee was required at this time.**

- C) CC2012-068 (LeBlanc) Amend GCO Sec. 22-287 "Disabled veteran, handicapped parking" & Sec. 22-274 "Two-hour Parking" re: Washington Street #133 (TBC 02/04/13)

**This matter is continued pending a recommendation from the Traffic Commission to: February 4, 2013.**

- D) Review of GCO Sec. 9-2 PAYT Containers as referred by the City Council on 10/09/12 (Cont'd from 10/15/12)

**Rose LoPiccolo**, Recycling Coordinator reminded the Committee that the City's waste disposal contract with Hiltz Waste Disposal, Inc. expires in June 2014. In a packet submitted to the Committee (on file), Ms. LoPiccolo included the original City rubbish regulations which clearly state the regulations are geared towards single-family homes and apartment houses with no more than four residential units. Also included was documentation showing that City rules and regulations governing trash have not changed. The City's waste disposal contract matched the regulation, but the ordinance did not. The ordinance only made reference to multi-family homes. **Councilor Theken** inquired if the Committee was in receipt of any correspondence from Bill Thoms, 1174 Washington Street (see October 15, 2012 minutes on file). The Clerk of Committees informed the Committee there was no

correspondence received by the Committee to date by that gentleman. **Ms. Lowe** said since October 15<sup>th</sup> when this matter was last before the Committee, Mr. Thoms made a very broad public records request covering many years to both herself, as public records custodian, and Ms. LoPiccolo. She asked Mr. Thoms to kindly narrow his request to a more manageable level, as he wanted emails from Ms. LoPiccolo and she whenever any of them mentioned the words like "recycling." Mr. Thoms did narrow his request to the last two years; however, the requested documents still came to 500. She said she informed Mr. Thoms there were 500 pages. Ordinarily it is appropriate to charge for the time the department invests in gathering this information and/or a per page copying charge. She offered to Mr. Thoms that he could come in and view the documentation and select what he wanted, which he did. He then chose to not take any documents. **Mike Hale**, DPW Director stated the accusations leveled at his department with regards to the recycling rules and regulations, is that the regulations were changed without notification to the users and that the DPW is enforcing those regulations via a "pick and choose" process. He said it was made clear there have been no appreciable changes to the regulations, although there have been a few clarifications. The residential trash program has been the same since its inception, and reiterated the department has made some minor changes. The program has gone from tags to bags, and fees have changed. When the department finds people not in compliance with regulations, the department sends the folks in violation a notice in writing informing them of what portion of the ordinance they have violated. They may suggest the violator needs to utilize the services of a private hauler, but do not suggest names of any haulers. He said he gets copies of up to five letters every day from Ms. LoPiccolo that were sent to violators. **Mr. Hale** noted this is a dynamic process – as a new business opens or a home sells the new business owner and resident to be educated to what the City's rules and regulations are. Just because a new tenant complies one week does not mean the following week that they will, he said. The department is always traveling the City to check on compliance, as well as the City's contracted trash hauler notifies the department of violations. The department always lets violators know when and why they are in violation of the regulations. He added that the department tries at all times to be fair and equitable. **Councilor Theken** said that St. John's Church came before the Committee asking the Council to change the ordinance so that non-profits such as their church could be included in City trash pick up. She said in the past a bed and breakfast concern had asked for changes to the regulations so that their business concern could be included in City trash pick up. But the City does have to follow the contract. She said she believed folks were getting used to the City's trash and recycling process. **Councilor Theken** asked Ms. LoPiccolo how much the City saves annually through the current waste disposal contract. **Ms. LoPiccolo** informed the Committee that the City's costs for trash hauling have been reduced by \$165,000 per year under the current contract and regulations. Furthermore, trash tonnage has gone down and recycling tonnage has risen. **Councilor Theken** noted there were many non-profit entities in the City. **Ms. LoPiccolo** said that folks in violation of the regulations not only get a letter from her, they also get a photograph showing the violation as well. She reiterated the rules and regulations have not changed, and said that since taking on the position as the City's recycling coordinator she has worked hard to follow the City's rules and regulations which match the contract and the ordinance. She noted in her packet to the Committee that she had included quotes for the non-profit entities. A quote from Hiltz Waste disposal (on file) shows collection cost is \$19,338.25 to include non-profit entities in the City's waste disposal program, plus a \$50,000 disposal fee as well as \$6,890 for supplies with a total of approximately \$76,278 to the City annually. She said if the City does this for the non-profits; it would have to do the same for multi-family buildings over four units. There are 76 buildings of five units and up in the City, with a total of 542 units. The packet also included a quote from Hiltz Waste Disposal to service multi-families over four units: Collection costs are \$45,528 plus \$217,016.80 for disposal fees plus \$29,875.04 for supplies for a total approximate cost of \$292,419.84. **Councilor Theken** said she would not add to or change the City's current waste disposal contract. The contract, she said in her opinion, represented the City well. There are limits as to what the City can afford to do with waste disposal services. **Councilor Verga** added that he had not heard anything further on this subject from anyone to date. **Councilor Theken** advised that after hearing the information put forward by the DPW representatives, as well as previous discussions by this Committee on the subject, she would ask that the Committee vote to close the matter. **Mr. Hale** informed the Committee he advise the Council when his department was ready to draft a new RFP or however his department chooses to procure a new waste disposal contract in order to obtain input from the Council that would assist in informing his department's development of contract/RFP language. **Councilor Theken** asked that an email be sent to the Council regarding Mr. Hale's announcement regarding the development of contract/RFP language. In addition, she said Mr. Hale is aware of Mr. Thoms and other members of the community who wished to see other areas of the City's waste disposal contract addressed, be it residential, non-profit entities or businesses.

**MOTION: On motion by Councilor Verga, seconded by Councilor LeBlanc, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to close the matter of the review of GCO Sec. 9-2 PAYT Containers as referred by the City Council on October 9, 2012.**

**This matter is closed.**

- E) CC2012-040 (Hardy/Tobey/Theken/Cox/LeBlanc) Amend GCO Chapter 17, Art. II Police, Art. II Police Department, Sections 17-16, 17-17 & 17-18 (Cont'd from 10/01/12)
- F) CC2012-039 (Hardy/Tobey/Theken/Cox/LeBlanc) Amend GCO Chapter 8, Art. II Fire, Art. II Fire Department, Sections 8-16, 8-17 & 8-18 (Cont'd from 10/01/12)

**Councilor Theken** reminded the Committee that they are awaiting proposed revisions to the ordinance from the Administration before moving forward on recommendations to the Council on the Police and Fire Chief ordinances. It as noted Jim Duggan, CAO was reminded of the Committee's need to receive this information via email prior to this meeting at the Chair's request. The Committee would continue the matter pending receipt of the Administration's recommendations for their consideration.

**This matter is continued to: March 4, 2013.**

**2. CC2013-001 (Hardy) Request review of annual salary of City Councilors pursuant to City Charter Sec. 2-3**

**Councilor Verga** said he supported the increase for the annual salaries of City Councilors, as did **Councilor Theken** who noted that the last increase of Councilor salaries was in 2000 the last increase (when it was raised in a two-step process going to \$8,000 then in 2002 to \$10,000) so the pay has been the same for approximately 11 years. She also said that for the number of the hours each active Councilor devotes to efforts on behalf of the City and their constituents it adds up to an excessive number of hours and the majority of the Council also works for a living. Ward councilors, she said, are known to put in as much as 100 hours a week. **Councilor Verga** said he spoke with Councilor Whynott who informed him he was in support of the increase as well. **Councilor Verga** then said that the argument made for all the recent staff salary and grade increases was to retain good people and to encourage quality candidates to step forward. He suggested it is the same concept with City Councilors. Councilors' expenses do go up, and they have to keep up with technology as well. **Councilor LeBlanc** also expressed his support of the Councilor salary increase. But he also suggested that a salary of \$11,500 which constitutes a \$1,500 increase per year, which is a total yearly budget cost of \$13,000 per year (9 Councilors x \$1,500), could support another part-time employee for the City. **Ms. Lowe** said her research into other area communities revealed that councilors in Beverly, which also has a council composed of nine City councilors, make \$11,700 per year with their council president earning \$12,300 per year; Salem councilors earn \$10,000 per year. Beverly's council doesn't have as many meetings per year as Gloucester's City Council. She also noted Somerville Councilors make \$25,000. She noted some communities provide additional remuneration to the office of Council President and Vice President, in some cases, about \$300 more annually. **Councilor Verga** reiterated the concept is to attract and retain. **Councilor Theken** said she wanted to have the raises be straight across the board, rather than giving one councilor more than another. **Councilor Verga** summarized by saying this was a reasonable proposal for a raise; it is not a doubling of the Councilor salaries, and that the last rise was 11 years ago and by the time the proposed Councilor salary increase could go into effect, it would be 12 years since the last raise.

**MOTION: On motion by Councilor LeBlanc, seconded by Councilor Verga, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council pursuant to City Charter Sec. 2-3 to increase City Councilor Salary to \$11,500.00 per year beginning January 1, 2014; AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.**

**MOTION: On motion by Councilor LeBlanc, seconded by Councilor Verga, the Ordinances & Administration Committee voted 3 in favor, 0 opposed to recommend to the City Council to AMEND the Gloucester Code of Ordinances by ADDING a new Section 2-29 entitled "Council Salary" to read as follows: "City Councilor salaries shall be \$11,500 per year beginning January 1, 2014;" AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.**

**3. CC2013-003 (Verga) Amend GCO Chapter 22, Sec. 22-270 and Sec. 22-291 re: Magnolia Ave. (TBC 02/04/13)**

**This matter is continued to: February 4, 2013.**

**A motion was made, seconded and voted unanimously to adjourn the meeting at 6:35 p.m.**

**Respectfully submitted,**

**Dana C. Jorgenson  
Clerk of Committees**

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